

# THE AMAZING WEB

HARRY  
STEPHEN  
KEELER



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Amazing web.

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# THE AMAZING WEB



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BY

HARRY STEPHEN KEELER

Author of "The Voice of the Seven Sparrows," "Find the Clock,"  
"Sing-Sing Nights "

WARD, LOCK & CO., LIMITED  
LONDON AND MELBOURNE

1929

To  
MY MOTHER  
WHO, HAVING CREATED THE AUTHOR,  
IS THEREFORE THE REAL CREATOR  
OF THIS NOVEL

*Printed in Great Britain by Butler & Tanner Ltd., Frome and London*



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# THE AMAZING WEB

## CHAPTER I

"WANTED: 1,200 MEN"

**A**L LIPKE, his sleek black hair parted in the middle, his checked suit pressed to fit every curve of his well-shaped form, his lone valise unpacked and its contents placed on the bureau, took from the bellboy of the Hotel McAlpin in New York City the Chicago newspaper he had just sent out for, and dismissing the boy with the usual gratuity went over to the tiny desk at the window which looked out on Broadway. There he sat down, and unfolding the paper quickly with a brief glance at its now two-day-old dateline turned at once to the "Help Wanted" columns. Topping the very first column of the advertisements was one which made him nod his head with satisfaction. Although occupying not over sixty words, it was set off with a good bit of white space above and below, and it stood forth prominently. It ran:

WANTED: 1,200 MEN WITH SUITCASES, AGED FROM 18 to 60, any nationality or trade, to work thirty minutes at simple, easy and interesting employment one morning during coming days from 7.30 a.m. to 8 a.m. No education required. No canvassing. \$10.00 to each man. WATCH THIS SPACE CAREFULLY FOR FURTHER PARTICULARS.

Lipke tossed the Chicago paper into the empty drawer of the desk and turned once more to a New York paper he had been examining when the bellboy had knocked at the door of his room. This already was open at the classified section, and in the column devoted to theatrical employment one advertisement carried in it the name of the hotel Lipke was

now gracing, and the date and hour in which it was being examined.

This second advertisement ran :

WANTED AT ONCE : PERFORMER WHO CAN DO A FEAT of any kind that cannot be duplicated. As high as \$1,000 will be paid for one performance. Ask for Mr. Cloyd, Hotel McAlpin, Saturday, at or after 1 p.m. only.

A tiny onyx clock on the dresser tinkled forth one sharp note, and almost on the heels of it the phone in the room rang sharply. The big man rose creakingly from his desk chair and answered the call.

It was the hotel clerk speaking.

"Mr. Cloyd, there's a number of the gentlemen you're expecting waiting downstairs to see you. It's just one o'clock. Shall I begin to send 'em up?"

"Yes," said Lipke. "Just send the first man up. I'll call for 'em one at a time."

He had hardly got seated in his chair by the window before a light tapping on the door announced that the first man was there. Lipke rose, and crossing the luxuriously carpeted floor, opened the panelled door. In the opening stood a slender, olive-skinned man, carrying a tiny black satchel. He bowed.

"Charles Carino is my name. Is this Mr. Cloyd?"

"The same. Come in, please." Lipke closed the door back of the visitor. "You came in answer——"

"In answer to the advertisement," said the olive-skinned man. "You wished a man who could do a feat of any kind that cannot be duplicated. Theatrical in nature, I presume?"

"Well—yes," said Lipke undecidedly. "Theatrical—that is, perhaps." He placed an arm-chair close by his desk. "Have a chair. What is your feat?" He dropped into his own chair.

The olive-skinned Carino was already opening his bag on a slender stand which stood, elbow high, near the wall. "First do I demonstrate," he said firmly, "and then we talk business far more clearly."

From his bag he took nine balls, each about an inch and a half in diameter, each finished in white and gold. He laid the bag on the floor and moved the stand a few feet toward

the middle of the room. Tossing off his coat, he rolled up his sleeves. He picked up three of the balls and, scarcely seeming to pay any attention to what he was doing, talked away as he worked.

"Any amateur," he said with a yawn, "can juggle three balls." No sooner had the words left him, than the three balls were flashing in the air in a rising and falling cascade from one hand to the other. He suddenly picked up a fourth and in a trice the fourth was now one of the previously moving three. "Four balls is the first step that a juggler's son learns," Carino explained with a smile, "as he crosses from amateur work into professionalism. Five balls constitutes professionalism," he went on. "Thus." He picked up the fifth and tossed it into the circulating four. They were now five. They rose and fell in rhythm. "It usually takes from four to six years to master six balls," he said. "That proves that the Great Carino has been in the game that long at least." Almost without notice he had deftly picked up the sixth ball, and in a flash it was lost among its rapidly rising and falling fellows. Lipke was staring fascinatedly, chin in hand.

Carino went on. "As I said," he continued, watching the six moving balls like a hawk, "there are only a few professionals in the country who have been long enough in the game to handle six. And there are said to be only four men in America and eleven in Europe who can handle seven. If I may say so, I——" He stopped, and with a very deft motion picked up the seventh ball from the stand and now it too became part of the eye-dazing cascade of moving spheres. He juggled in silence for a moment to get back his poise. "As for eight balls," he said at length, "there are no living men to-day, with the possible exception of one, who can juggle eight at one time. Gorkovitch, the Russian juggler, could do eight. He died in Berlin in 1905 from a stroke of apoplexy right while he was doing it. The few of the old school who were known to do it are dead and gone, and only Charley Carino is left to——" With a cautious look at the cascade of balls, he tossed into them one of the two remaining spheres on the slender table. He was forced to make a quick and snapping motion to do it, but in the twinkling of an eye it was part of a rising and falling array that no eye could seem-

ingly follow, much less a human brain. Carino spoke rapidly, and a bit nervously now. "As for nine balls, no living juggler in the history of juggling has ever managed nine balls at one and the same time, either by the underhand or the overhand throw, or the rotatory. No man, living or dead to-day, can do it. Except perhaps——"

He paused. Lipke continued to watch, fascinated. Carino, after one or two attempts to reach quickly out to the stand, suddenly snatched from it the remaining ball—the ninth!—and by what appeared to be a superhuman feat of deftness and nerve, swung it into the intricate pattern of living spheres he had woven.

"You now behold Charles Carino, Mr.—er—Cloyd, the only juggler in the history of juggling, living or dead, who can handle nine balls. And I've done it for ten full minutes at a stretch." With a few seconds longer of the white streaks flowing from his finger-tips, he rapidly began, as jugglers do, to retire the balls one by one, swiftly, and of a sudden they dropped to eight, to six, to four, and the remarkable performance was over with a snap.

Carino turned to the stand, tossed his spheres into his tiny black bag, and dropping into the arm-chair across from Lipke spoke in a very business-like tone.

"What have you to offer, Mr. Cloyd?"

Lipke sat for a long minute staring, thinking. Finally he spoke. "Carino, you've got a remarkable stunt there. It may be that you have what I need. And it may be that I'll get something just a bit nearer to my requirements. I don't know yet. In fact, I can't tell till—say—to-night. I'm in a position to pay you mighty well for one performance if it turns out that you're my man. The single performance will take place in Chicago. Expenses paid both ways, of course, and—well—we'll talk actual money later, if we get to that point." He looked at his watch. "Now let me know where I can get in touch with you, and I may phone you to-night."

Carino bowed. He took from his pocket a tiny card bearing the name of some uptown hotel. He took up the tiny black satchel, and with a few voluminous bows he bowed himself out, just a little bit disappointed evidently, yet appearing hopeful as well.

Lipke stepped over to the phone and lifted the receiver.

"Have the clerk send up my next caller, please. Mr. Cloyd in room 918 speaking."

He had not long to wait before a timid tapping at the door announced that applicant number two had arrived. Opening it, Lipke puzzledly surveyed in the outer corridor two persons, a shrinking, timid-appearing woman in black widow's weeds, leading by the hand a boy of perhaps fifteen years of age. The boy possessed an enormous high forehead; he was pale to the point of sickliness; and his little blinking, sharp, watery eyes gazed upon the world through a great pair of hornshell spectacles.

Lipke stepped aside politely and bowed the two in.

"Your name, madam?"

"Mrs. Kelsey, sir."

He wrote it down. "You came in answer to my ad., I presume?" he asked, leaning back.

"Yes, sir," the woman replied. "You see, Floto here has just been booked up on the Orpheum circuit to go out three weeks from to-day as the Human Encyclopædia. Floto is a wonder, Mr. Cloyd. They say there never was anything like him on the stage. He has read books since he was four years old, morning, noon and night, and he has never forgotten a word of what he has read. I saw your ad., and thought that before Floto starts out on his first tour we might stage an advance performance, although——"

"Yes," interrupted Lipke, staring at the watery-eyed, precocious youngster, whose orbs darted back and forth from his proud mother's face to the objects in the room. "So you're going to try and buck all comers on handing out information, Floto?" he queried curiously.

"Yes, sir," shrilled the boy in a thin piping voice. "Maw always said I was a wonder, and these theatrical people are going to pay me two hundred dollars a week."

Lipke studied for a moment. "You answer all and any questions propounded to you, do you, Floto?"

"Yes, sir," came the piping answer of the boy quickly.

Lipke pondered for a moment. Then he cleared his throat.

"What's the population of Texas, Floto?"

The boy's answer came quick, sure and shrill, the words tumbling over each other. "Population in 1900, 3,048,710; in 1910, 3,896,542. Originally part of Republic of Mexico.

revolted and established independent republican government ; subsequently annexed to United States. Seceded February 1, 1861. Readmitted to representation by the act of March 30, 1870." He stopped and yawned.

Lipke appeared a little staggered. The woman across the way beamed with a maternal pride. Lipke scratched his head. Then he fired straight to the child wonder another question :

"What's nux vomica, Floto ? "

"Nux vomica," said the child like an automaton, "is a much-used tonic. Dose for horses, 20 to 60 grains ; for cattle, 15 to 50 grains ; for sheep, 10 grains ; for hogs, 8 grains ; for dogs, 2 grains ; for man, depends on the heart action as determined by a doctor."

"How old does the whale go, Floto ? " said Lipke, gritting his teeth against this watery-eyed compendium of knowledge.

"Whale, 1,000 years ; elephant, 400 ; eagle, 100 ; horse, 25 to 30 ; rabbit, 7 ; rat——"

"Good enough," said Lipke hurriedly. He thought for a moment. Then he grinned malevolently. "How would you keep flies off of hams in a grocery store, Floto ? "

"Paint th' hams with py-py-pyroligneous acid," drawled the boy. "That'll keep the flies off and won't hurt the hams."

"Well, I'll be——" begun Lipke. He shook his head wonderingly. He drew from his vest pocket a coin. "Floto, I'll give you three chances to answer this. I've got here an old United States 20-cents piece. What's the date on it ? "

"Easy," pronounced the child wonder. "Gotta be 1875, '76, '77 or '78, because those were the only years they was coined in."

Lipke laughed a laugh of wonder and awe. He turned to the woman. "Mrs. Kelsey, I reckon you've got a winner in that kid on the vaudeville circuit. I've seen a few alleged human encyclopædias in my time, but never one like him. But he won't quite do for my very particular special purpose." The woman's face fell visibly. "I have need for an act—well—do something more spectacular, I think, and while Floto here is good, he won't quite fit in with my plans. Thanks for coming up to see me anyway."

The woman's face was long. She rose. "Come, Floto, we'll be going. Sorry we can't please the gentleman."

Lipke nodded his head and looked at his watch. A moment later they were gone and he was again phoning down to the office.

The next visitor was tall and thin; he had the high forehead of the college professor, and the drab black clothes and black tie that never in this world characterized the clothing of the professional performer.

"Mr. Cloyd?" he asked.

"The same," said Lipke, surveying him cautiously under half-closed lids.

"Professor Kanning," said the man in black clothes. He smiled. "Of the New York State University, Mr. Cloyd."

"Come in, professor," said Lipke, the cautious look vanishing. He closed the door. The other looked about, then took a seat.

"I saw your advertisement wholly by accident in the New York paper to-day while I was coming down to the city," he said hurriedly. "So I ran over, and not being able to lose much time this morning came on up to your room."

"Now what was your name and business?" asked Lipke.

"Mathew G. Kanning, assistant professor of mathematics at the New York State University. I am, Mr. Cloyd, what is known as a rapid-calculator, and it was on account of this faculty that my people educated me along the lines of mathematics. It struck me that I might be able to put up a demonstration for you, for whatever purpose you're seeking, that might prove exactly what you want." He paused expectantly.

"Hm!" Lipke drew in a puff or two from his cigar. He pondered. "Well—what number multiplied by itself will give—er—er—35,129,329?"

Kanning laughed a low, mild laugh. "They call that, in mathematics, Mr. Cloyd, extracting the square root. The square root of 35,129,329 is 5927 even."

Lipke nodded his head slowly. Had he had time to check it, he would have found that his visitor was correct, but multiplication was a sore and tedious process with him. But undaunted, he snapped forth another question.

"What does 4567 multiplied by itself twice equal?"

The faintest wave of intensive thought seemed to pass over the face of the Kanning mental calculator. Then came the answer, quick and sure like a rifle shot, hardly fifteen seconds after the question was propounded.

"106,519,112,263, Mr. Cloyd."

Lipke gave vent to a dry laugh. He took out his watch. "Let's see how many seconds it'll take you to multiply 3962 by 4174 and divide the whole thing by 4212," was his reply.

"Why count the seconds?" asked Kanning casually.

"The correct answer is 3926 and 25/100 plus."

Lipke leaned back in his chair and crossed his legs. "Professor Kanning, you've got a faculty that's probably the most interesting one in the world, but it's not much good in a theatrical way. At least not for my peculiar needs. But let me give you a tip. Get a good theatrical manager who can stage an act with novelties of different sorts, get him to dope out an act that won't be all dry figures and numbers, then book up with one of the better class of booking agencies and I'll warrant you'll buy more silk dresses for the wife than you ever will in one of these here colleges. Try it." He rose. It was plain that the interview was ended.

Kanning too arose. "Well, I thought I'd just drop in and see you," he remarked without any rancour.

After he was gone, Lipke at once called up the clerk. "How many more fellows waiting?" he queried.

"Four, Mr. Cloyd."

"Send them all up," he directed.

Then he arranged four easy chairs near his desk and prepared with paper and pencil to do a clean-up on the day's business. Not long after came a thunderous pounding on the door, and Lipke ushered in his visitors.

They filed in, two of them evidently knowing each other, for they were chatting together in an undertone. They dropped as by automatic mental procedure into the four easy chairs, and Lipke once more resumed his old chair by the desk. He surveyed them carefully before he spoke.

Number one, at the extreme left of the semicircle, was a tall man, appreciably pockmarked and of a dark colour, as though he might have been part Mexican. Number two was a herculean individual, a veritable ox with thick corded neck, and muscles that seemed to strain and play under his suit of



generous cut. Number three was a dapper, wide-awake fellow with glistening black hair parted to the very thousandth of an inch, dressed in a loud brown suit of faultless cut. Number four, the last of the group, was a man of undoubted foreign extraction, for his blue eyes, keen and straight, and his light hair, were those of the races of the Balkans.

With a glance back along the four faces, Lipke spoke.

"I presume, gentlemen, that you're all professional theatrical people, and so it's hardly necessary for me to waste time in rehearsing my proposition separately." He paused. "As my ad. stated, I'm looking for an act of some sort that exceeds any act now in vaudeville; that is, it must be a feat of brand-new kind. For one performance of that act I stand ready to pay a very fair price, in addition to transportation to a city some distance from here. I think my fee will exceed the rate paid for any act in vaudeville or the circus to-day. I want to close up to-day and complete all arrangements. Now, gentlemen, if you have no objections toward talking business together, may I have your names and your work, and, if feasible, even a demonstration." He turned toward the dark-skinned man with the pockmarked face. "Your name——?"

The pockmarked man was taking from a long slender leather case what proved to be a sword with sharp edge and delicate point.

"My name is Gonzalez," he said in good English. "Manuel Gonzalez." He took up the sword and holding it aloft showed engraved along its edge what appeared to be a scale divided into inches and half-inches, each of which was numbered. "The longest sword-swallowing act on record is 15 inches. That's done by Du Bois of London. Now watch, if you will, please."

With a deft motion he slipped off his ready-tied tie, and unloosed his batwing collar. He stood erect, throwing his head back. Raising the sword just above his face he placed the point in his open mouth and lowered it gently, slowly, cautiously, down, down, down. At last the fascinating downward progress of the steel weapon stopped. Gonzalez closed his lips gently on the flat sides of the blade. He pointed. Even from where he sat, Lipke could plainly see that the lips were closed together on the engraved mark

which said 17 inches. He nodded, and the sword was swiftly withdrawn. Gonzalez proceeded to button up his collar and replace his bow tie.

Lipke with a glance at his watch turned to the huge ox-like Teuton.

"And you?"

"Hugo Daumstaddter," he said. "Der only strong man by vaudeville—vot can lift two horses vit one hand. So!" He took from a flat newspaper package a large glossy coloured photograph showing a man, with muscles bulging, clad in a gaudy trunk with red and blue stripes and silver stars, lifting up a wooden beam from each end of which, in a specially constructed harness, hung a husky-looking draught horse whose legs stuck comically out and whose eyes popped from his equine head.

Lipke inspected the photograph very carefully, surveying the man across from him and studying every detail of the picture. Then he laid it down on his desk and turned to the next applicant, the dapper little fellow with the jet-black hair and the loud but expensive suit.

"George Murphy," was the name by which that individual introduced himself quickly and easily, at the same time lighting a cigarette. "Known as Boko, the handcuff king. Guarantee to get out of any pair of handcuffs in America in sixty seconds, and to get out of a wooden box tied by any three selected members of an audience and dropped into a glass tank of water. Claring of 'Frisco claims to do the stunt, but everybody in the profesh knows that he uses three picked men and the double slip knot. I use a perfected method of my own. Devised it myself."

Lipke thought for a moment, a very long moment in fact. Then he turned to the quiet, foreign-looking man with the light hair and the steely blue eyes.

"And your name and act?" he inquired.

"Gus Chevalo," said the other in slow, precise English. "Four years with Barnum & Bailey as Crazo, the daredevil cyclist. Have just perfected the newest spectacular feat in cycle work. Hasn't yet been shown in public. It's the double loopless loop-the-loop on a bicycle."

Lipke leaned forward. "The double loopless loop-the-loop on a bicycle," he exclaimed.

"Two complete loops in mid-air without a track," Chevalo explained proudly. "It's the evolution supreme of the old jump-the-gap and loop-the-loop."

Lipke stroked his smooth chin reflectively. "You say this act has never been done in public before?" he asked.

Chevalo laughed a quaint laugh. "If I fail, then the neck goes"—he made a suggestive motion—"snap!"

Lipke rested his chin in the palm of his hand for a full minute. Then he turned to the other three men. "I think I've got the act I want," he pronounced. "So I'll excuse the rest of you gentlemen so as not to take up your time. Have a cigar."

They rose disgruntledly, and after conducting them to the doorway and bowing them out, Lipke was alone with Chevalo.

"Chevalo, tell me all about this act of yours."

"Nothing much to tell," said the little foreigner modestly. "I been practising on and off for four years on the stunt. Did my practising with a net under me, out at my home in the country on Long Island. Best I could do was the single loop-the-loop, until after about three thousand failures I got the secret by changing the angle of incline of the edge of the jump-off track. The double loop-the-loop's never been done in circus history."

"You carry your own apparatus?"

"Yes. Fits in a space 9 by 12 by 6 when taken down. Costs about two dollars a mile for transportation."

"Chevalo, what do you expect to pull down in the circus on this act?"

"Ought to be worth four hundred a week," said the other.

Lipke calculated a moment. "For fourteen performances a week that means slightly less than 30 dollars a performance." He pondered. "Chevalo, I think you've got the stunt I want. I want to use you in Chicago for one performance and one only. The price I offer is 1,000 dollars. Just what my idea is in using you I don't feel at liberty to say. This much I can tell you: There will be no advance featuring, no advertising, no publicity." He paused. "Got any photograph that will give me an idea of this act?"

Chevalo drew from a large photograph container he had brought with him a glass snapshot taken evidently by a high-grade quick-action camera. It showed a man dressed in

circus tights, surrounded by all the evidences of country life such as chickens, cows and horses in the background and a white-frame cottage some distance off out of the focus, in the act itself of turning a somersault on a bicycle which at that second hung upside-down in mid-air between the ends of two white-painted platforms, one evidently the end of an incline, the other a landing platform.

"Do you guarantee if you fail that there's no fee?" asked Lipke cautiously, looking up from the photograph.

Chevalo again laughed his quaint, quiet laugh. He pointed significantly to his neck. "The neck and spinal column guarantee it," he commented sagely.

Lipke drew up his chair closer. After fifteen minutes of details and carefully worked-out future arrangements, Chevalo bowed himself out, and Lipke dropped back by the window which looked out on Broadway.

"It couldn't be better for the purpose," he ruminated to himself. "The rubberneck newspaper reporters ought to foot the bill for giving 'em the story they'll get out of it. And the story—ah—it makes the scheme absolutely police proof. Neither the best news-hound on the Chicago Press nor the sharpest plain-clothes man on the Chicago police force has a chance to get wise to the connection with Archibald Chalmers. Chalmers may go to the electric chair yet—and he may not; but he's got a good team working for him in the team of Lipke and Crosby." And at his facetious coupling up of the names of Lipke and Crosby, he smiled a smooth, satisfied smile that to an onlooker would somehow have suggested power—the power of unscrupulousness and daring; a smile in which one corner of his mouth turned up and the other remained unchanged in its angle. And there he remained sitting, staring unseeingly down at the traffic of Broadway.

Now we are going to throw back our story to October, 1923, to the little town of Brossville, Kansas, where practised a rising young attorney, by name David Crosby. In this way we shall introduce ourselves to the more virtuous and upright half of the team which Al Lipke calls the team of Lipke and Crosby, and better yet we shall view the very events which some years later are to place Al Lipke, screened from any too-prying members of the New York detective bureau by the less notorious name of "Mr. Cloyd," in a high-priced hotel on

Broadway. In fact, we shall know in detail whether the risking of the neck of Gus Chevalo, the daredevil cyclist, in a double loopless loop-the-loop, is to save from the electric chair and its deadly 2,200 volts Archibald Chalmers, Chicago society's popular idol, and defendant in a charge of murder in the first degree. But we must start from the beginning.

## CHAPTER II

### THE DEFENCE OF LINDELL TRENT

IT was the morning of the trial of Lindell Trent for grand larceny.

From a window in his office in the modern three-story Jones Building, David Crosby, attorney-at-law, *ætat* 26, stared out at the one and principal street of the town of Brossville, Kansas. Across the way was the one-story red-brick building which housed the tiny town's only other attorney, Henry White; and down at the foot of the Jones Building, with its great grey scabs of paint peeling away due to the annual visitation of the hot Kansas sun, lay the long dusty road fronted on each side with ramshackly buildings and hitching-posts that bore the dignified appellation of Main Street.

With a long sigh, Crosby turned from the window to the battered desk which comprised the chief article of furniture in the painfully bare office, and taking up a shiny new leather portfolio of papers from it, closed the door behind him and went out into the bright October morning sunlight. Outside he walked slowly, thoughtfully, a troubled—even pained—expression on his face, as far as the town lock-up, and there turned up the short flight of stone steps that led into that very undesirable residence.

A nod to a fatherly-looking, bearded man chewing away at a huge cud of tobacco, and Crosby was ushered into one of two rooms which fronted each other across a wooden hallway, where Lindell Trent sat on the edge of a tiny cot, staring miserably at a gaudy-coloured lithograph of a Madonna and Child which some well-meaning town constable had riveted to the wall. A tiny table containing a ponderous Bible chained to the wooden top, a hard-seated rocker and a straight chair completed the furnishings of the tiny cell, for the bars

on the high-up window showed only too plainly the nature of the room.

She was a girl of perhaps nineteen, slim almost to slowness. Her black dress was simple, and revealed threadbare poverty. Eyes big and dark, jet hair slightly disarranged, complexion a little pale, a strained look about the sweetly curved mouth. Her face lighted up, and then the light faded, as David Crosby, entering the room with the lock-up keeper, nodded to the old man and was left alone with her. Without a word he took up the straight chair, and drew it close to the bed on which she sat.

"What have you decided, Lindell?"

The girl looked at him, a frightened, hurt look in her eyes.

"David, you know I have decided but one thing, to stick to my story. I am not guilty."

Crosby's face carried a pained, stubborn look.

"But I tell you, Lindell, it will do you no good. It will mean a conviction. Why fly into the face of certain disaster, dear, against a jury of farmers and townspeople who will be antagonized by your deliberately trying to play innocent?"

Into the girl's face came the suggestion almost that she was about to break into tears—tears that must flow from the breaking of a heart. But the man saw them not; his eyes saw only the spectacle of a young and rising attorney defending a girl guilty of grand larceny who brazened it out in spite of all the damning circumstances against her. Into his eyes came a sanctimonious look, and then as they rested upon her the look softened, and his eyes radiated love. He leaned forward, his hard bony hand—the hand that had pitched hay fourteen hours a day in the harvest fields of Kansas to put him through the little college—clasping hers.

"Lindell, dearest, listen to me, please. The trial takes place now inside of a half-hour. I am your attorney, appointed by the court, even though Selina is my half sister-in-law. Lindell, you are supposed in law always to take the advice of your counsel. I am a lawyer of three months' experience. While you have been engaged in your daily tasks, I have seen a number of instances of the psychology of men confronted with facts such as the ones in your case. Just so sure does it mean a verdict of guilty by those grizzled farmers. This is no big city, dear one, where a girl's brown eyes influence a

jury of men. These are old churchgoers, stern, righteous, men with daughters, natives of a place which looks upon you as haughty, condescending. As your lawyer, I—I have a right to handle your case to your best advantage."

The girl was looking at him wide-eyed, looking at him sadly, and much as one looks at a strange animal in a zoo. He went on, the horny hand closing more tightly over her slim one.

"Lindell, it makes no difference to me what or why you did it, or why you maintain your innocence. I love you just the same, just as dearly. I am not as the others in this town, ready to turn away. I am going to handle your case as I see fit, and I am going to minimize the results of your folly, and then we are going to marry, and never refer again to the thing as long as we live. We can go away to Millville, to Prairie City, to Reedtown, to a number of places, and get away from it all. But I maintain"—his voice rose—"from my superior knowledge of the psychology of juries, that a plea for mercy is the only thing in your case. To fight, to contest, to hold forth as you wish will bring down from those stern old farmers a sure verdict of guilty. And in such case, old Judge Hibbard will be unable to do anything but impose a penalty."

He paused, and the girl stared listlessly at the opposite wall. Finally she spoke.

"I am too tired, too worn, David dearest, to argue with you. I shall not plead guilty. But the handling of the case is, after all, your affair. Oh, how I wish—how I wish that I had never seen this hateful town!"

"In which case," replied Brossville's youngest attorney pompously, "you would never have met me." He glanced at a cheap silver stem-winding watch. "I must go now, Lindell. We will do the very best we can, and trust that the men who hear our case will see fit to temper their justice with mercy." He leaned over and kissed her full on the lips, but the response from them was the response of a tired child, a being who should be given a sleeping potion and be put into a long slumber. Then he turned swiftly, and still carrying the shiny portfolio under his right arm, left the lock-up and strode down Main Street.

The one and only court-room of the town, with its high



cobwebby ceiling, its austere-looking, fly-specked tall windows, and its whitewashed walls, was crowded. Old Judge Hibbard, chewing tobacco, his gold-rimmed glasses perched upon his nose, sat at the top of the bench and near-sightedly gazed over the crowd of rustics and townspeople. In the jury-box twelve dour, serious-looking men of the American farmer type, every one but two wearing a beard in which were flecks of grey, hard horny hands folded over their stomachs, waited expectantly and righteously. Henry White, prosecutor, bald-headed, batwing collar soiled, fumbled at the lawyers' table with a mass of papers.

And the audience! Who has not seen a small town audience assembled in a court-room? The younger men chewing tobacco, the girls in their finery tittering; the youths nudging the tittering girls; strait-laced matrons come to see the viper sent from their midst.

And the cause of all this excitement? Lindell Trent, Zelina Miles's orphan girl, whom she had taken from the county poorhouse, had returned her mistress's kindnesses by stealing a diamond ring from her and had been found out!

The tittering stopped abruptly and hats were removed with startling rapidity when the tobacco-chewing old man with the gold-rimmed glasses on his nose nodded from his raised bench to the clerk, Fat Winter, who arose and read off the notice that "court has convened." A deathly silence filled the room as a white-faced, slim girl in black, with great dark eyes, entered a tiny enclosure through a battered wooden door at the side of the big room, accompanied by a fatherly-looking man who took a seat at one side of her.

The court-room was unnaturally quiet as the girl responded to old Judge Hibbard's opening question. But her reply was so faint as to be scarcely audible. "Not guilty, sir," were the three brief words which carried scarcely to the jury-box.

Henry White's opening speech was short and to the point, punctuated by a nervous fumbling at the dirty batwing collar. Then he turned and, nodding to a woman across the way, finished his speech.

"The first of the two witnesses for the ah—State—will be the plaintiff, our honourable townswoman, Mrs.—ah—Zelina Miles."

Mrs. Zelina Miles, arising in her dignity from the mass of

onlookers, gave a pert nod to her half brother-in-law, David Crosby, as she passed the lawyers' table and stepped into the witness-box. She was an austere-looking woman of forty-five or thereabouts and was garbed for the occasion in a black silk dress, and carried a black silk parasol. Henry White, rubbing his bald head, began the examination of the witness.

"How long have you known the defendant?"

"You mean this here girl there?" she pointed at the white-faced creature in the enclosure.

"The same," said Henry White.

"Sence I took her out of the poorhouse at Prairie City, a year back, to help me with my sewing for customers," declared the witness, who was the town's only dressmaker.

"Now will you relate," went on the prosecutor, still fumbling with the refractory batwing collar, "the events which transpired on the day and evening of October 1st, a week ago?"

The witness straightened out her black silk waist, and adjusted the compact knot on her head.

"The girl never impressed me," she said, turning to Judge Hibbard, who chewed away impassively, "as bein' a thief. So when I go up to Prairie City early on the morning of the first to do some shoppin', leavin' her a goodly pile o' sewin' to do, I went in perfec' understanding that anythin' I lef' in the house would be perfec'ly safe. I was away all day, buyin' a number o' things and takin' in the sights o' the town, an' I lef' there on the three o'clock westbound. While I waited the ten minutes at Pott's Junction from 4.05 to 4.15 to catch the southbound Texas and Southern Kansas, I got a sort o' premonyshun that mebbe I'd made a mistake by leavin' of my bedroom unlocked while I was gone all day. I——"

"Will you please tell the jury," said Henry White, "about the object of value you left in that bedroom?"

"My diamon' ring," stated Zelina hurriedly. "Amos give it to me in the year 1904, the time o' the big crops when we was farmin' the Dean place out west of town. I'd allus wanted one. It cost \$200. It was in my bureau drawer next to my prayer book. It——"

"Had the defendant ever seen that ring? And did she know where it was kept? Tell the jury about that."

"She's seen it a hundred times if she's seen it once, and she's seen where I kep' it a hundred times when we been house cleanin' together," declared Zelina emphatically.

"Now proceed with the story," said Henry White, glancing rather pitying at young Crosby, who sat erect and impassive at the lawyers' table across from him.

"So, as I says, while I waits on the platform o' Pott's Junction for the ten minutes, I says to myself: 'Zeliny, you hadn't oughter have left that ring in that place with that girl alone. You don't know nothin' about that girl, her mother bein' an Australian brought here by Dan Trent who a'n't no good himself nohow, the two of 'em havin' to be buried at the county's expense and their dotter brought up in a orphan home.' So when the train gets into town prompt at 5.05, I comes home and gets in within ten minutes, stoppin' only a minute to pass the time o' day with old Mrs. Jellifer across her garden fence. I goes home and asks Lindell if she was busy all day, earnin' her dollar a week an' keep as she should. She shows me a pile o' sewin' that she claims she done. She acts sorta queer, somehow it seems to me. Then I goes into the bedroom, feelin' somehow that everything wasn't right. I looks into my drawer and the ring is gone."

"And then, what 'did you do?' "asked Henry.

"I calls in Constable McCrearity, who's a settin' right over there alongside o' Lindell, and we interviews Lindell pretty closely. She claims that she don't know nothin' about it. She claims that a woman pedlar come to the house that day sellin' sewin' thread an' needles, an' the woman bein' faint she let her lie down on the couch a while in the settin' room while she run across the street to see how Johnny Baker was after his fall out o' the apple tree. But no pedlar, man or woman, could ever have guessed exactly where I kep' that diamon' ring, an' I knowed it too. I up and got hot, and called in Constable McCrearity and demanded that he make a search o' Lindell's things."

"That is, you suspected the defendant?" said Henry.  
"And you made a formal accusation?"

Zelina nodded. The girl in the prisoner's box looked white and pained, as though at an unpleasant recollection.

"First thing he comes to, searchin' over the pockets of her spring jacket, that giddy red thing she bought with that

money she earned from me, that jacket no self-respecting girl would wear—a jacket like a painted woman would wear—was a hard lump where somethin' was sewed up in the corner."

"Tell the jury what you found therein?"

"I found my diamon' ring, the selfsame ring what Amos bought me in 1904, with the selfsame engravin's in it, 'From Amos to Zelina': found it in that there girl's red jacket, a-sewed up."

"Will you show the jury the object, and state the cost of it? But I believe you have done so. Two hundred dollars, did you not say?"

Zelina took from her handbag a tiny object which sparkled in the morning sunlight. Fat Winter in silence carried it over to the jury-box. It was passed from hand to hand amid tense silence in the court-room and then carried back. Henry White nodded to the witness.

"You are excused." He bowed to his confrère across the table, and added—"to the defence."

"Cross-examination is waived by the defence," was the defence's only statement, in a low voice.

Zelina Miles climbed down from her wooden chair.

"Call the next witness for the State," ordered Henry White.

"Constable John McCrearity," intoned Fat through his nose.

The grey-bearded lock-up keeper and constable ascended the stand. His interrogation was short and quickly answered.

"What did the defendant do when you took her into custody?"

"She cried," said old McCrearity, "and said that the woman pedlar must have taken the ring and sewed it up into her jacket while she was gone from the house."

Henry smiled a supercilious smile, and McCrearity, excused, pausing a moment to hear once more the defence waiving its cross-examination of him, stepped down from the witness-stand.

Old Judge Hibbard, staring down at the lawyers' table through his gold-rimmed glasses, asked one question:

"Will the defence call its witnesses?"

Crosby, speaking in the same low voice that had character-

ized his only two utterances thus far, looked up at Hibbard. "The defence has no witnesses."

A silence filled the court-room. Henry White arose.

He turned to the jury. He spoke rapidly, fumbling at his batwing collar, and his speech, although in places theatrical, was that of a man who has been long in the courts. He spoke easily and fluently of the viper in our midst, the viper we took to our bosom, the viper who turned and stung us. He dilated at some length on the biblical injunction against theft. He rose to oratory at the end, and his final utterances were met by the craning necks of the grizzled old farmers in the jury-box, some of whom forgot to chew on their cud. Two of them nodded as though in approval. A buzz of comment ran about the court-room.

David Crosby stood up. He placed his right hand between the first and second buttons of his coat, and addressed himself, as had Henry White, to the jurymen.

"Gentlemen of the jury," he said, "my speech to you all will be of brief duration. My eminent colleague, Mr. White, speaks of the sanctity of the law, of the consumer of our crusts and our sheltering roof who has violated our friendliness. But to you all he says nothing in regard to the fact that the crime of which this girl has been accused is her first offence." He shook his long hair fiercely back from his forehead. "Let us entirely disregard the mere technicality that she has pleaded not guilty in this court with her own lips. Not one of us but would have done the same. Let us consider matters in the light of her past history. This girl was reared in an orphan asylum, without mother or father to guide her. She has always, up to this time, been a worthy citizen of our good town. That she fell once to temptation does not mean an inherent badness. This girl has been an industrious worker among us: and because a girl's hungry eyes are carried away by a glittering bauble the like of which she knows that she can never possess on her meagre wage is a factor of psychology—psychology, I say—which we must allow for. Gentlemen, I say to you, earnestly, let us bring in a verdict of not guilty."

Henry White's concluding speech lasted but two minutes, and consisted of several vicious shortarm jabs with respect to the theory of law in general. Law was law, declared

Henry, and it was the one and only thing that differentiated us from the savages from which we sprung: and if law were disregarded in favour of sentiment, then straight into anarchism we were headed, and straight into anarchism we would finally land, where no man would own his wife nor his dwelling-place.

Instructions to the jury, after Henry White had plumped down into his chair, were brief to the extreme. "The facts and the law are before you, gentlemen," said he of the cud and the gold-rimmed glasses. "If you find the defendant guilty of unlawfully appropriatin' the object shown to you, valued at 200 dollars, this court hasn't no other choice but fixin' the penalty given in our statute books for grand larceny in the State o' Kansas. This defendant bein' o' legal age that penalty is fixed at no less 'n one year in the penitentiary an' no more 'n five. That's all, gentlemen."

The foreman of the jury, Zeb Potter, arose, after deliberation, and announced their verdict.

"We find the defendant guilty as charged," were his words, "but recommend the honourable court to impose the minimum sentence that the statute books provide."

The girl in the prisoner's box gave a long-drawn-out gasp—then leaned back weak and faint against her seat. The long tension of the moment was broken by the voice of Fat rapping out, "O-order in the co-ort," as an excited buzz of comment and talking ascended, together with the loud shuffling of feet as certain individuals rose to get back to their various occupations, quite deserted this morning.

In the little cell-like anteroom for prisoners, with its one window that looked out on Brossville's main street, Crosby found Lindell ten minutes later after his last stumbling formalities of polling the jury had been complied with, and the court-room was at last devoid of juror and judge, spectator and prosecutor. She was standing by the window gazing out. McCrearity was at her side, clumsily holding her jacket for her.

"Lindell," the younger man said in a low voice, "it—it—the verdict—makes no difference to me. None whatever. I love you just the same. After those instructions from the jury, Judge Hibbard can only impose the minimum sentence. It will mean only a year, dear, and that will reduce to eleven

months. And when the sen—when the eleven months are over, I will come for you and will call this a black page in our life, to be forgotten for ever in a little home of our own. We will go to a new town. We——”

The girl spoke. Her voice was the voice of irony tempered by bitter reproach.

“David, you were my attorney. It was your duty to make some defence of me, your client. I could have loved you so—so much if you had fought for me—if you had even believed in me—had done your best—the best that is in a lawyer for his client. But now—now—now——” With wet eyes she thrust out a restraining hand as he stepped across the short space between them in the little room. “No, no, no, do not come near me. I am convicted of a crime, and—and—sentenced—sentenced to the penitentiary.” She turned to old McCrearity. Her brown eyes filled with a sudden flood of blinding tears. “Constable McCrearity, please, please take me away.”

And David Crosby found himself standing all alone in the gloomy little anteroom, staring dazedly out at the dusty road that wound past the temple of justice and righteousness

## CHAPTER III

"YOU'LL NEVER MAKE NO LAWYER, DAVID"

DAVID CROSBY, sitting alone in his office in the Jones Building, raised his head sharply as the decrepit phone on the wall tinkled its call. The daily leaf calendar on the wall showed the date to be December 29, 1923, and the old boxwood clock on the desk, with its hands pointing at ten o'clock, showed that two more hours would herald a new day.

As the bell again tinkled, Crosby rose hastily, just a little puzzled as to why his phone should ring at ten in the evening, and, mopping back from a face which had grown thinner from hard study a thatch of light brown hair, strode over to the instrument and raised the nickel receiver.

"Hello!"

"Crosby? David Crosby?"

"Yes. Attorney Crosby speaking."

"This is Dr. Duff."

"Oh—why—hello, doctor! How is Zelina to-night?"

"Zelina is sinking fast, Crosby. She's dying. I want you to get over here at once, David. Zelina has something on her mind. Wants to talk to you. It's a question of coming quick. Amos wants you too. Will you make it?"

"Yes." Crosby glanced back at the table, covered with books: then at the old clock on the desk ticking imperturbably away. "I'll be there at once." He hung up.

He lost no time. Taking down from the wall a long cheap ulster overcoat, he buttoned himself carefully in. Around his neck he wrapped a woollen muffler. Over his head and ears he drew his fur cap. He extinguished the flame of the oil heater. Then, lowering the flame of the student's oil lamp, he blew it out with a well-directed breath and clam-



bered down the creaky stairs of the old draughty Jones Building into the night air.

A blast of icy flakes whipped his cheeks as he sallied forth into the darkness of the tiny lightless town, and a whirling gust of sharp cold air for a second took away his breath. Head on against the wind, he made his way, and ten minutes later turned in at a small white cottage with snow-encrusted fence and icicle-covered porch. He did not need to knock, for the door was opened by his half-brother, Amos Miles, lamp in hand, in shirt-sleeves, his face haggard, who peered out at his visitor. "Come in, Dave," he directed in a low voice.

Crosby, conscious somehow of the fact that he was in the realm of death itself, stamped off the snow carefully on the outside stoop, came in and, unbuttoning his coat, flung it over the old battered haircloth sofa that stood in the hallway.

"Bad?" he inquired of Miles, in a very low tone.

"Mighty," replied his half-brother succinctly. "And she wanted you to come. Zelina's got somethin' on her mind."

He led the way to a tiny bedroom off the hall. An odour of drugs pervaded the hallway, and inside on a stand were the usual array of nauseous medicine bottles: the lamp casting its sickly glare over the bare room, the old-fashioned bureau with its marble top. And on the bed lay the woman who three months before had mounted the witness-stand in Judge Hibbard's court, even then thin, scrawny, bony—but to-night a veritable skeleton, the sallow skin drawn like parchment over the skull, the eyes deep and piercing and burning, the fingers clawing away at the coverlid.

The burning eyes riveted themselves on Crosby as he entered the room and crossed quickly to the bedside. Old Dr. Duff stepped aside, stroking his white beard troubledly.

The drawn skin over Zelina's skull broke into the semblance of a smile. She turned her head weakly toward Dr. Duff. "David's here now, doctor, an' I must talk. I must talk. I must!"

"Just a little then, Zelina," said old Duff. "Do you want to talk to David alone?"

"No, no, no," said the sick woman. "I want you"—

she turned her head very slightly toward her husband—"and you, too, Amos, to stay." She pointed, half nodded at the rickety kitchen chair by the bed. "Set down, David. David, do you know what I wanted to see you about?"

Crosby shook his head painfully. "No, Zelina. I can't imagine."

"David," said the sick woman fiercely, with a burst of energy as though the last fires of the furnace of life were flaring up in an attempt to consume the very furnace itself, "that girl—that girl—Lindell—never stole that diamond ring."

"Never stole that——" repeated Crosby dazedly, but the sick woman stopped him with the flicker of a gesture of a thin hand. Her voice went on, weak, wavering, yet to the point. "No, David, Lindell Trent never took that diamond ring. I'm goin' fast. I'm—I'm sinkin', an' I can't go over the dark river without clearin' my soul. Oh God," she wailed, "what have I done to Thee? Oh, forgive me."

A tense silence followed, in which the three men looked at each other embarrassedly.

"David," said the sick woman suddenly, "I—I was jealous." She turned fiercely to her husband. "Oh, Amos, you made so much over Lindell—you talked to her so much at the table—you was with her so much that I thought you—you didn't care for me no more. I—— Oh, Amos, I—I was wild crazy. I thought after all these years——"

"There, there, now, Zeliny, don't get excited," cautioned her husband tenderly, stooping forward and wrapping back a stray hand-grey tendril from the hard forehead. "Lindell warn't nothin' to me, Z'liny. She jes' made me think of a little datter like I allus wanted—that's all. You were always my girl."

"Oh, Amos, why—why didn't you tell me that, then?" She stopped and appeared to sink into a doze.

David Crosby, his head roaring as though filled with a thousand cataracts and falls, was the one who broke the silence. "Zelina, Zelina! you say Lindell never took it?"

"I be'n a bad woman, a wicked woman, an' I got to make my peace before I meet my Maker. I—I was crazy jealous o' Lindell. I never thought no jury'd convict her o' crime. I never had a night's sleep sence. I thought she'd be drove

out o' town, instid o' arrested, but that Henry White went an' put th' case afore that gran' jury that was settin' on the hoss-stealin' case, an' got a—a—a—indictment. An' then he prosecuted her, an' I had to stand by my story. I—I never thought they'd do anything but drive her away. I never thought the jury would vote her guilty." She paused, evidently for breath. "I'm gettin' weak. I must tell it. I—I must tell it. I never went to Prairie City that day. I went to Reedtown, instid. The night afore I went, I—I sewed up thet ring in the little girl's red jacket, an' next mornin' I took the train for Reedtown where there was a carnival playin'. I lef' Reedtown at 3.40, and come on home. Then I accused the little girl o' takin' the ring, and called in Constable McCrearity. That's all." A profound silence filled the room. The light flickered suddenly low, and Amos Miles went over and raised the wick. The cheerful yellow light again filtered over the crazy-quilted counterpane. The sick woman turned fiercely on Crosby. "David, I be'n a wicked woman. Why, oh why, David, didn't you ask me questions on that witness-stand? Why didn't you show me up the liar that I was? Better I be hounded out o' town than that I got to go to my Maker after what I done to Lindell Trent. Why, David, I never lef' the road that runs from Brossville to Reedtown where the carnival was. The——"

"The Texas and Southern," put in her husband for her.

"Yes," said the sick woman. "If I'd gone to Prairie City that day, David, as I said on th' witness-stand, instid o' sneakin' up to Reedtown to take in the sights o' that wicked carnival, I'd a-had to change cars both comin' and goin' at Pott's Junction, so's to get on to the Kansas an' Western. I'd a-got to Prairie City all right, but I'd a never got back again that night account th' washout——"

"The washout!" ejaculated David Crosby.

The sick woman gave a short, hard laugh. "David, you won't never make no lawyer. You're too easy, David. You're too willin' to let a wicked woman like me lie and succeed. No, David, that there bridge over Mills Creek went down at noontime that day, and the train that was to get into Pott's Junction jes' ten minutes before the Texas and Southern never got there at all. If I'd a-gone to Prairie City,

I couldn't a-made connections. I couldn't got back at all that there day I said." This last statement seemed to consume all of the woman's strength.

Crosby looked dazedly up at old Dr. Duff, who still stroked his white beard; then at Amos Miles, who gazed down sorrowfully at his wife's wasted form on the bed.

"When did you first learn about the washout, Zelina?" asked the young attorney in a faint voice.

"I noticed there weren't no passengers waitin' on the platform at Pott's Junction that day," said the sick woman, "but I never learned the reason till long after they sent Lindell Trent away. I—I—well, I was readin' some old *Prairietown Gazettes* about a week after Lindell was sent away. They been comin' to me by mail sence I went into that prize contest of their'n. An' in the October 2nd *Gazette* it told about there bein' no chance for the trains to get by that creek after—after noontime the day before." She stopped as though completely exhausted by her efforts to pour forth her story.

Crosby, jaw set hard, oblivious to the woman's evident growing weakness, put another direct question to her. "Then if I had checked up your movements on that day, Zelina, and investigated; if I had even cross-questioned you on the witness-stand, I could have broken your story completely?"

The sick woman nodded. "You coulda broken it, David. I never were no hand at tellin' a lie an' gettin' things straight. I wish to God you had, David. Better I be hounded out of this community as a liar and perjurer than do what I done. Oh God, have mercy on me!" She turned fiercely to the other two. "You all heard? You all heard? It was me. I done it. I done it. And Lindell Trent is servin' a year in th' penitentiary for it."

Dr. Duff stepped forward and felt the sick woman's pulse. Then he shook his head. "You did the right thing, Zelina, to talk, and you'll feel better for it. Yes, we all heard. Now you must be quiet." He turned to David. "I think you'd better go, David. She must rest for a while now."

Out in the hall, Crosby, his face white, buttoned himself into his great-coat, Amos Miles troubledly holding the lamp. "I'm sorry, Dave. It's turrible. O' course we'll

right th' wrong done to that pore gal at once. Pore, pore Z'liny."

"Yes." Crosby turned the handle of the door. "I'll be in again to-morrow, Amos. My mind is too shaken. We must right the wrong done to Lindell Trent without another day's delay."

And out into the night he went, face against the snow, his brain beating a tattoo against the top of his skull. He did not turn his footsteps back to the little office in the Jones Building. Instead he pierced his way through the wind and snow to the tiny railroad station of Brossville, situated on the Texas and Southern Kansas line. There inside, he found the telegrapher, a new chap, pounding away at his key with a green celluloid shade over his eyes and a half-opened bright red novel at his elbow. The latter nodded to Crosby, evidently recognizing him as one of the town's citizens.

"Crosby is my name," announced Crosby in a low voice. "Attorney here in Brossville. As a special favour I want you to look back on the tissue sheets under date of October 1st, the year just ending, and let me know what report is there on the incoming train situation that would affect trains on the T. and S. K. here."

The young keyman got out a huge book of yellow flimsies, and turning back the sheets rapidly with moistened forefinger finally stopped. He ran his eye over the notations. "Here you are, if it'll do you any good, Mr. Crosby." He read off the report: "Bridge reported down at Mills Creek on the Kansas and Western, and trains unable to meet Texas and Southern trains at Pott's Junction. Instruct any passengers embarking north no travelling east on the K. and W. after noontime until further notice."

"And when was service resumed?" went on Crosby.

The telegrapher turned one sheet of flimsy. "Next morning at ten o'clock. Temporary pile bridge."

"Much obliged." Crosby looked at his cheap silver watch. "There's a T. and S. K. train through here at midnight, isn't there, that reaches the State penitentiary at Leavenworth around morning?"

The keyman nodded. "Strikes Leavenworth at 8.14 a.m."

Crosby went down in his pocket and dug up a meagre

roll of bills. "Give me a one-way ticket," was all he said.

The midnight flyer of the Texas and Southern Kansas stopped at the signal of the telegrapher's red lantern, and Crosby climbed aboard. Finding a seat in the half-lighted chair car, filled with bedraggled passengers asleep and half-asleep, he sat all night, his eyes hot, staring through the window at the black velvet curtain that parted only occasionally to show glimpses of snow-clad hills. Came morning at last, and then bright daylight. And shortly after eight o'clock a very tired and dishevelled young attorney stepped out on the depot platform of the busy city of Leavenworth. A decrepit bus carried him out to the grey-walled penitentiary, and he walked up the gravel path that led to the warden's quarters.

Now in the bright daylight, in the actual sight of that grim sepulchre of steel and stone, his muddled recriminations of the past night grew more clear and at the same time more poignant. Fool, fool that he had been, he reflected bitterly. He had put up a defence, a pusillanimous, weak defence consisting of an effeminate plea for his client, a petition for mercy, for the tempering of justice, in spite of the girl's desperate and stolid plea of not guilty. Had he been a real attorney, as she claimed in her last bitter words to him; had he been a fighter; had he investigated every angle of her case, searching for leaks, for perjury, for discrepancies, for hidden motives; had he been what his college degree had termed him—a lawyer—instead of a pompous orator, he could have cleared her in spite of the well-defined prejudice against her in the town of Crossville.

He had to wait in the mahogany-furnished warden's office for a full thirty minutes before that official appeared, evidently just from a warm, satisfying breakfast. The latter was a kindly-looking man of perhaps fifty years of age, with silver-grey hair and brown eyes that radiated a keen understanding of many things. Crosby lost no time in stating his own name, occupation and residence. Then, beginning at the beginning, he told briefly the complete story of Zelina Miles' diamond ring. Concluding, he said:

"And there you have the facts of what appears to be one of the worst miscarriages of justice that we can contemplate.

The hardest part of it all is that I am to blame. In spite of the prejudice that Lindell brought against herself in Brossville on account of a certain attitude of aloofness which she claimed was due to too much curiosity about her mother, I could have won that case if I had had an ounce of fight in me. But better late than never. That's all I can say now. As for Mrs. Miles' story of last night, of course it will be borne out by her husband, Miles, and by Dr. Duff. And, still better, is the fact that the testimony she gave on the witness-stand in October concerning her movements that day can now be completely controverted by the records of the T. and S. K. regarding the Mill Creek washout, proving that no train could have gone from Prairie City to Pott's Junction on the day on which Zelina Miles claimed to be in Prairie City. And now can we go to her and tell her our good news?"

Warden Clayton leaned forward, chin in hand, his brown eyes troubledly studying those of his visitor.

"I don't wish to be rude, Mr. Crosby, but I note that several letters bearing your name have come to Lindell Trent at intervals of every two weeks, and that each was returned to you unopened by her."

Crosby flushed to the roots of his hair. "I can well realize now why she is so bitter against me. She must feel nothing less than contempt for me. But if you had seen my letters you would know about what the situation is. I care more for that girl than anyone dreams. The only thing I can do now is to make it up to her by being good to her for the rest of my life, if she'll consent to forget my miserable handling of her case." He paused. "Can we go to her now and tell her the good news?"

Clayton leaned forward in his chair. "I'm mighty, mighty sorry," he said regretfully, "that this development didn't happen sooner. Mr. Crosby, Lindell Trent is no longer an inmate of Leavenworth. She is somewhere—I don't even know where myself—on the continent of Australia on the other side of the world."

"No longer an inmate! In Australia?" ejaculated Crosby, bewildered.

Clayton nodded slowly. "Yes. Here are the facts, however. You no doubt remember, Mr. Crosby, of the success

England had combating her man shortage during the Big War by running her machine shops with women. At that time we instituted a light machine shop here at Leavenworth for some of our women prisoners. Now Lindell Trent, being a short-term prisoner, was assigned to a tiny drill press in this women's shop. She was very bright, very willing, a remarkable little personality in every way. She had been there only a month when Governor McCloud made his annual visit of inspection to the institution. He was accompanied by his wife and little daughter. Just how it happened no one knows, but in the women's shop the little girl strayed too close to the gears of the big milling machine. Her sleeve caught. She screamed. Lindell Trent was the first to grasp what had happened. The little one's arm was almost between the teeth of the gears when Lindell Trent sprang to the machine and jammed in a monkey wrench. In so doing she stripped off every tooth on the gears, and burned out the motor, but she saved the arm, perhaps the life, of the daughter of the Governor of Kansas. Also she lacerated two of the fingers on her right hand."

Crosby was silent. His face, first white, showed slowly the return of its colour. "And Governor McCloud pardoned her?" he ventured in a low voice.

"She was out of the prison hospital in a week, Mr. Crosby, but the signed pardon was here the second day after the accident. She left us, taking with her the ten dollars which the State gives every departing prisoner, and a gift of three hundred and fifty dollars sent to her by the Governor's wife."

"And she went—where?"

Clayton was silent for a moment, during which he regarded his visitor gravely. Then he turned to one of the drawers of his desk, and fumbling in it withdrew from it a letter. "I am going to let you read this letter," he said simply. "Perhaps it will answer your questions more fully than I can do."

Crosby reached out a hand hungrily and took the missive. As he unfolded it, a postcard photograph dropped into his lap, and before reading the letter itself he took up the picture and gazed at it. It showed Lindell Trent clad in a neat suit of dark material, with a little lace collar around the slim throat, her dainty fingers holding a peculiar handbag which appeared, in the photograph, to be made up of a number of



round disks like coins. On her face was the shadow of a smile, and she seemed to Crosby to be looking straight into his own eyes. Swallowing the lump in his throat, he turned his attention at once to the letter. Written in a clear round hand, a bit immature, yet every word of which was correctly spelled, he read off :

SAN FRANCISCO, CALIFORNIA.

*December 4, 1923.*

Warden Charles W. Clayton,  
State Penitentiary,  
Leavenworth, Kansas.

MY DEAR KIND FRIEND,—

I am writing to tell you of myself, as you asked me to do. As I said when I left the prison, I came directly to San Francisco. I have been here a few days, living in a queer little hotel on Market and Fremont Streets, but day after to-morrow I am saying good-bye for ever to America and to the name of Lindell Trent. Over in the heart of Australia, some forty miles from a town, is a brother of my mother's, a queer silent man who lives by himself in a little farm out in what she used to call "the bush." He believes that electricity is a weapon and invention of the Devil, and no doubt has many other equally queer notions. He never reads the papers or has anything to do with the rest of the world. But even though he be such a queer man, I know that he will welcome me when he learns that I am his sister's child and sees the little trinkets of mother's which I took with me when I left Leavenworth. But oh, Warden Clayton, I shall not even dare tell him that mother married a man by the name of Trent, or that that is my name. I shall not even be able to tell him that we lived around Brossville and Prairie City, for he might write to either one of those two places. I shall have to come to him under my new name only, for that is the only way that I may be sure that even my uncle shall never know that his sister's child was sent to an American prison for theft.

The whole thing has been heartbreaking for me, but thank God I am to leave it all behind me now. The worst part of it all to me was the part about David Crosby, the man who defended me in court. That is, he didn't defend me, Warden

Clayton ; he pleaded with the jury to let me go on account of my age, and his every word was like a dagger in my heart. That David should not believe in me, that he could not see with his own eyes that I must be innocent ; that he could not have fought for me when he claimed he loved me—oh, it seems so hard. I am not a lawyer, yet somehow, some way, I feel that I could have been saved from this disgrace if my case had been taken care of right.

I loved David Crosby, Warden Clayton, and there will never be another man in my life, I think, that will be even as much to me as he was. I shall never marry now. Everything we have in life fails to live up to what we want it to. David was good, he had so many virtues. He worked so hard to put himself through college. He was so good to his mother before she died. But David could not fight for the one girl that clung to him and whom he said he cared for. This was his weak point ; and young as I am myself, I see now that David will never make a success as a lawyer. He is too meek.

As for my plans, Warden Clayton, you have them now. My fingers, you will be glad to hear, are practically healed up now. I have changed my name—changed it so greatly and completely that Lindell Trent will never exist again after the day after to-morrow—changed it so much that I have even had my new name and my new address in Australia engraved on the inside of my handbag, sewed on my linen, stencilled on my valise, and placed on every article that bears a name. I want to be a new person—I want to feel that I am a new person—a native of another land entirely—that I am no longer Lindell Trent who was sent to prison for a common theft.

As for day after to-morrow, well, I sail at twelve noon on the *Ocean Queen* for Sydney, Australia, from which point I shall go inland by train, and stage coach. I expect to be in Sydney not later than the second day beyond Christmas, and with my uncle as soon after as I can manage to get there. The regular passage is \$200, second class, but I was fortunate in the steamship offices when I went to inquire about my ticket. A young woman waiting at the counter called me outside. She told me that she had a passage and a passport, and would sell them to me for \$175 as she could not go as

she intended. She said she needed her money badly and would rather lose \$25 than wait for a refund from the Pacific and Southern Navigation line who own the *Ocean Queen*. I wonder if it is wrong to travel on another person's passport? I look near enough like the picture on it to pass for this lady, and she says that it takes a great deal of trouble to get a passport, because one has to write to Washington. She says that now that there is no war, that the passport is just a formality—that hundreds of people are travelling every day on purchased ones.

I will now say good-bye, good kind Warden Clayton. You will never hear of me again, but I shall think of two persons many many times, probably as long as I live; of you who were so kind and of David Crosby who came near being the man of my dreams. Would you care for this little picture of me? It was taken at a photograph gallery on Market Street, here in this city. It shows me with my new clothes, bought with part of Mrs. McCloud's very sweet gift to me, and my handbag made of Australian silver sixpences. I bought it to help a poor old sailor who worked around the hotel where I have been staying, one who has given me a great deal of valuable information.

I hope that everything will be happy and prosperous for you in the coming years.

With kindest regards,  
LINDELL TRENT.

Crosby looked up from the last word of the letter. He swallowed hard before he spoke. "And that is the only information you have?"

Clayton nodded. "Absolutely all. This bears a mailing date of twenty-five days past, you'll notice. Lindell Trent must already have disembarked at Sydney two days ago."

The younger man sat for a long moment thinking. At last he looked up. "Would you be willing to give me this letter and photograph?" he asked.

"Take it along," was the prison official's answer. "You're welcome to it. I hope you can locate the girl. If by any chance I should hear from her, I'll write you at Brossville. But I honestly don't believe she'll write me again."

"No, I don't think she will," agreed the other in low voice. He folded up the letter and photograph and placed them safely away in his breast pocket. Then he arose. "I'm taking up your time, Warden Clayton. Thank you for this and for the kindness you've shown Lindell."

"Don't mention it," said Clayton, rising. "I'll let you know if by any chance I hear anything. And please do the same."

Outside into the cold crisp morning air Crosby went. He strode down the long walk to the outer world, a world in which there was work in plenty for the man who could fight for a client in the courts of law, where men struggled with all their cunning for their lives and for their liberty.

## CHAPTER IV

### THE STRANGE STORY OF THE BOTTLE

MR. ENOS A. MELFORD, of Melford and Melford, ship chandlers, San Francisco, looked up from his desk as his clerk stepped into the tiny room fitted like a ship's cabin with imitation portholes, hawsers, linchpins, marline-spikes, and a great spoked pilot's wheel on the wall. It was the month of June, 1925. He had been reading the morning paper, and at the same time troubledly reflecting, concerning the plethora of rum-running activities detailed therein, that Melford and Melford in their business of fitting up ships were, in a sense, unwilling and unknowing aids in this great new American industry.

"That Mr. Crosby of Chicago is here again, Mr. Melford?" said the clerk. "The same young man that was in to see you yesterday."

Mr. Enos Melford stared at the card deposited on the desk in front of him. Its neat print read:

DAVID CROSBY

Assistant

Offices of Ernst Weidekamp

Ashland Block,  
Chicago.

"Weidekamp is that well-known Chicago criminal lawyer, isn't he, Farkins?" queried Melford.

Farkins nodded. Melford, with a sigh, put away his morning paper, and shoved away two great ledgers that blocked up his desk. "Show him in, Farkins."

Farkins withdrew, and Enos Melford looked up a moment later to see a young man of perhaps twenty-eight years of age, dressed in blue serge, brown hair topping a pair of steel-blue

eyes, standing by his desk. He rose and placed a chair near by.

"Be seated, Mr. Crosby." He bowed. "My clerk tells me that you have been in twice to see me. I am sorry that I have been out."

"I suppose the ship-outfitting business, thanks to Prohibition, is rather brisk nowadays," said his visitor.

"Yes, the ship-outfitting business is very brisk. As to Prohibition, however, Melford and Melford observe the law themselves. Beyond this, they can do no more." He paused politely. "What can I do for you, Mr. Crosby?"

The young man cleared his throat. He dropped his straw hat on a near-by stand.

"Mr. Melford, I've come to you to get an accurate estimate of the cost of a certain project I have in mind. I realize that the price you're going to quote me is going to be a stiff one, but the situation which brings me here is a rather unusual one." He paused. "I have heard this firm spoken of as the foremost ship chandlers on the coast, and if I'm not mistaken this was the firm that equipped Sorenson for his last Antarctic dash, was it not?"

Melford laughed, a quiet, satisfied, business laugh. "Yes. We've equipped two Antarctic dashes, three Arctic dashes, an African and two Amazonian expeditions, thus far." He waited expectedly. "Just what sort of a project had you in mind?"

Mr. David Crosby of Chicago stared out of the window a moment before he spoke. "Mr. Melford, what, in your estimation, are the number of small uninhabited islands—atolls, I think they're sometimes called—in the South Pacific Ocean, that are unmarked on the maps?"

Melford shook his head puzzledly. "Their number is legion," he said authoritatively. "I'd say there are at least two thousand, varying from a quarter-mile to three miles in diameter, and spaced all the way from 20 to 200 miles apart in a pattern so intricate that no two charts in the world coincide except regarding the very large ones."

"And these are mostly arid and uninhabited?" asked Crosby.

The veteran ship chandler nodded. "Most of them are mere volcanic peaks that have stuck from the water for

centuries. Some have a bit of grass or moss on them. Some of them have pools of rainwater, but practically none of them any food."

"What, in your estimation then, Mr. Melford, would be the cost of an expedition consisting of one ship to explore every one of those uninhabited volcanic islands in this region for—say—two male skeletons and some ten or eleven pieces of gold and silver jewellery?"

Enos Melford spun sharply in his swivel chair. He scrutinized his visitor closely, his curiosity growing every second.

"What——" he began, but Mr. Crosby of Chicago was opening up a leather billfold from which he took some seven or eight newspaper clippings of various lengths, and then handed one of the longer ones to Melford.

"Suppose you look over this clipping first," he suggested. "Then I can make things clearer. I don't know whether you read of this matter in the San Francisco papers or not, but it's probable that you have."

Enos Melford took the clipping, and adjusting on his nose a pair of round-lensed hornshell glasses which hung from his vest, read it through. Its contents ran:

### CAREER OF NOTED SOUTH AFRICAN CROOK COMES TO END IN GHASTLY MANNER

MAKES SAFETY ONLY TO DIE OF STARVATION AND THIRST

(Associated Press.)

San Francisco, June 3, 1925: The following illiterate message, its details corroborated by the log and records of the Pacific liner *Ocean Queen*, written crudely in indelible pencil on the front of a sun-bleached cotton shirt, and picked up by the British schooner *Vulcan* in the Pacific Ocean off Southern California in a whiskey bottle sealed with tar in which it had travelled for seventeen months on perverse ocean currents, tells graphically the ultimate fate of two men, one of them—"Cape Town" Eddy Courney who made a dramatic mid-ocean escape a year and a half ago from the largest ship of the Pacific and Southern Navigation Company of San Francisco. It portrays vividly the fate which overcame this much wanted criminal character who carried to his own death an ignorant and innocent stowaway on the same steamer.

The message, painfully written off word by word by a man evidently himself suffering from a shortage of water and food, slightly rambling in places and dated almost a year and a half ago, is here reproduced in its entirety.

*Decembr.* About 29, 1923.

In gods name Send help. We our on Iland. Volkanic. No gras no water no fud. No Water only in jug. No food now 3 Days. He is Ded. dide day befor Yestrday. He said befor he dide he was Edwurd Courney From Caip Town. Calld Caip Town Eddy Courney. I was stoway on *Ocean Queen*, bound Sydney from San Francsco. He found me wen we was sevn dais out. I was in life bote No 7 with biskuts an watr. He came nite of Decembr 19. Pointd gun. Ship standin still. Made me lowr bote in Darknes. Thot Currants wud take us Samoa or cook Ilands. We ben flotin dais and dais. Swep on this Iland. Bote recked. Cant patch it. Gettin weeker daily. No life, No Gras nothing. He Stole Jewlry nite we left. All here. 1 Gold wach, 1 diamon wach, 4 stones, 2 diamon rings, 3 messh bags gold, 1 messh bag made silver sixpenses, 1 messhbag silver, 1 dog collar 3 rubeyes, three hunderd dollars bills and coins. he Sed officers Pacific an Suthren company let crooks work botes on 50-50. I Herd 2 offisers talk by lifebote where hiddn. Says all botes traps for fire. Says Boilers Kondemed By govermint inspektors started Up after Botes leave docks. Says Seems leaking for 3 years. Lifebote leaked hour after it went down into water. Baled day and Nite. In gods Name Help me. cant eat gold and silver. Oh god how Sun beats down. Sen help. Cant last only Week more.

JEFF WHITTLESBEE of Melbourne.

The message contains not only a story of horror, but a revelation as well of modern navigation methods as practised on certain lines plying in Pacific waters, and carrying women and children across the world.

In the opinion of shipping authorities, the remaining living man of this unfortunate pair must long since have gone the way of his companion, as the date of the bottle is so far back and no report has ever been made by any foreign or American



hipmaster of rescuing any man by the name of Whittlesbee. There are thousands of hopelessly bare volcanic islands in the Southern Pacific Ocean at which ships never think of touching, and the chances of the bleached bones of these two men with the loot of the one ever being even accidentally found are close to zero.

Courney's escape was made, according to officials of the Pacific and Southern Navigation Company, on the night of December 19, 1923, when the ship at a standstill remained in mid-ocean from nine in the evening until midnight while the mechanics were disentangling a mass of seaweed from one of the two propellers. He was aided not only by the excitement and flurry existing between these hours, but by the fact that many of the women passengers were out at the rail watching the crew working at the propeller by torch-lights. This latter circumstance gave him the opportunity of ransacking a number of the open state-rooms and picking up whatever of value lay at hand. The reports on the log of the ship, in possession of the Company, made the morning after Courney's disappearance, show that the same articles described by the man Whittlesbee were reported stolen, by various women passengers on the *Ocean Queen*. The total valuation, however, including jewellery and money, was slightly under 1,100 dollars.

As to the location of the island on which Courney and the man Whittlesbee were swept, and on which Courney died, evidently from exposure, little or nothing can be hazarded. The last latitude and longitude determination made by the *Ocean Queen* was at 5 p.m. the night of the accident. The reading was Lat. 6 degrees S., Long. 176 degrees W. This point is the very heart of the South Equatorial current, and for several degrees north and south a most incalculable region so far as currents go. According to trained navigators, a light life-boat dropping into the sea in this region could not only be carried in a southerly and westerly direction, but could equally as probably be swept by one of the many swift narrow cross currents into the Equatorial Counter current, running east in latitude 6 degrees to 10 degrees north. The incoherent letter of the man Whittlesbee might indicate either a travel of but a few days or a travel of many days. One thing is certain : The island which Whittlesbee so confidently

described as being volcanic, arid and uninhabited, is but one of thousands of this description that fill the entire south seas.

At least the Pinkertons are to be congratulated that one more noted crook's card can be moved over to the file marked "finis," and that one more of the accomplished nitro-glycerine experts of the old school, spawned in the slums of Cape Town and Johannesburg to prey on another continent, has passed on.

When he had come to the last word of the news clipping, Melford looked up, studying his visitor intently. "I don't quite get your connection with affairs. Surely you are not thinking of trying to recover a mere thousand dollars or so in jewellery, at a cost of many, many times that amount?"

"No, I am not—at least not in the way you mean," declared Crosby quietly. "But I'll explain." He paused. "Mr. Melford, something over a year and a half ago I was an ignorant attorney practising law in a country town in Kansas. I let a client go to the penitentiary on account of my own pompousness, my willingness to lie down and take the easiest way out of a difficulty. That client was a girl, a young girl. I could have saved her, cleared her, for later facts brought out her innocence and showed that had I been anywhere near what I thought I was—a lawyer—I could have made a sweeping victory of her case. Yet I let her go to the penitentiary, and thought because her sentence was only one year that I had won a legal victory." He stopped.

Melford's glance broadened into one of sympathy. "Go on, my boy," he urged.

An unhappy look had flooded the face of his visitor. "She was pardoned from the penitentiary unexpectedly, and with some 360 dollars in her pocket went to San Francisco. She was bitter, hurt, despondent. She determined to change her name completely, and having an uncle—a brother of her mother's—who lived on a tiny farm in some partially inaccessible part of Australia, who knew nothing of whom her mother had married, started for Australia to find him and to stay with him for the rest of her days. She alone knew the location of his farm, knew the 'station' in Australia which was nearest to it. She alone knew the new name she had decided to adopt. But she innocently had that name and her uncle's address which was now to be hers, engraved on the inside of

her meshbag before she left San Francisco. That handbag was a meshbag made by an old rheumatic sailor in San Francisco out of silver sixpences—a novel thing, beyond doubt, and the only one he ever made. Where did I get these facts, you ask? First from a letter she wrote to the warden of the penitentiary just before she sailed from San Francisco, and second from a trip of investigation which I made to this city back in the early months of 1924.”

“I gather,” Melford commented, leaning forward interestedly, “that she sailed on the *Ocean Queen*?”

Crosby nodded.

“Under a temporary name corresponding to a ticket and a passport which she innocently purchased from a young woman at reduced rates, she sailed,” he explained. “The very morning I learned the truth I cabled clear to Sydney, thinking that perhaps the liner had been delayed. But no—it had docked two days before, and every passenger had disembarked. The chance of catching her there was gone. It appears that although the girl herself knew something of her mother’s kinsfolk—particularly this brother and his whereabouts in Australia, she had never mentioned or divulged the fact, even to the Miles’, my half-brother’s family, with whom she worked for a while as seamstress. In fact, a thorough canvass of every connection with the Trents’ life in Brossville and adjoining towns gave not an iota of information, and Dan Trent and his wife had died, and their daughter was now thousands of miles away.”

David Crosby paused a moment, and then continued:

“So I came to San Francisco here, with a few dollars I had saved up, and made a pretty thorough investigation of things. I located the rooming-house on Market and Fremont Streets where Lindell Trent had lived, prior to leaving America. While there she had registered by the same name she had always had—her own name. She had checked out there the morning of December 6, which was the morning the *Ocean Queen* sailed. I found the old Australian sailor who worked around the rooming-house. He had sold her a meshbag made of Australian sixpences, made by his own hand in his spare hours, and the only thing of its kind he had ever attempted. She had paid him 25 dollars for it. He readily identified an enlarged picture of it which I had made from a photograph

of herself which Lindell had sent to the penitentiary warden, and which showed her with the odd meshbag in her hand. He too knew her only by the name I knew her by—her right one, Lindell Trent. Well, from here I naturally investigated the jewellers of San Francisco. Not far from Market and Fremont I found the man in whose shop the name and address, which was to constitute Lindell Trent's new identity when she got off at Sydney, was engraved on her handbag. But the journeyman engraver who had taken the order from the customer and who had done the work had been taken ill and died of pneumonia on December 11, that month. The shop was carelessly run, and there were no records of jobs done, such jottings as they took down on tabs of paper being destroyed after the work was delivered to the customer. The proprietor remembered seeing the odd handbag, but hadn't the least idea of what the engraving had been, other than recollecting somehow that this workman had told him it was a name and a foreign address. In simpler language he could shed no light on my quest. We searched the shop from end to end, trying to get a clue, but not a sign of a one was to be found."

"I presume your next move," hazarded Melford, "was to secure a copy of the passenger list that sailed on the *Ocean Queen*?"

"Exactly," said his visitor. "That passenger list contained the names of fifty-nine women, both with the prefixes Miss and Mrs., unaccompanied by either husbands, brothers or other relatives. The passport records and photographs at Washington, which I later investigated in that city, about a month after I left San Francisco, through the help of our Brossville Congressman, proved slightly more productive. They showed up eighteen women who had dark hair and dark eyes, apparently between the ages of eighteen and twenty-five, and sufficiently close enough in general appearance to Lindell Trent that she was apparently able to travel on one of their passports." He paused. "There was more or less laxity on that side of the world in regard to passports now that the war was over—at least so I learned—and we both know, I daresay, that a woman by fixing her hair in a certain way can come somewhat close to resembling a stated photograph."

"But I take it," queried Melford, his brows contracted in a frown of consideration of this peculiar problem, "that even the name of the passport lady—the name on which your Miss Trent travelled between the cities of 'Frisco and Sydney—would not have been of much use to you, considering that she was all in readiness to adopt a permanent new name the minute she stepped through the customs on Australian territory?"

"Precisely," agreed his visitor, "but I thought that some records might exist in Sydney of the ultimate destination of disembarking passengers. I later found this to be not the case. At the time, too, I felt that if I could locate the exact party on whose passport she travelled, I might somehow thus pick up some sort of a clue to work upon. But I will tell you now that neither the few people of that passenger list with whom I have managed to correspond have been able to give me any light whatever, as to which of the many young girls is the one I am seeking, nor have the passport records themselves provided anything which has brought me anywhere."

"I see," answered Melford in a friendly spirit, leaning back in his swivel chair. "Go ahead. I'll take the story in your own way, Mr. Crosby." He paused. "And then I presume you advertised for the girl in the Australian newspapers, using the name by which you knew her in America here, Lindell Trent?"

"Advertised?" repeated Crosby bitterly. "Indeed I have. I daresay I know a good deal more about Australia to-day than many people walking the streets of Melbourne itself. But to no avail. When Lindell Trent wrote her last letter to the warden she said that her uncle lived on a little farm in an out-of-the-way place, that he was a queer individual, that he did not read the papers. And that tells the story. Out in some far-away wild place, the Australian 'bush' as they call it, she is living with her uncle, never seeing a newspaper, never caring to see one in all probability, content with a few books as she used to be."

"But this surprising new development of civilization, radio—as surprising in its way as rum-running and bootlegging?" asked Melford. "Have you thought of that? Have you ever tried that?"

"Indeed, I have thought of it," said his visitor bitterly.

"I have had sent out many times over Australian broadcasting stations at heartbreaking expense to myself a message carefully couched so as not to tell her painful story to her new world. The message has gone out thus: 'Lindell Trent, legal charges found to be false. Write to your attorney and obtain full facts.' But a certain one sentence in her letter to the warden of the penitentiary stands out always in my mind as though burned in fire. She wrote of her uncle: 'He believes that electricity is a weapon and invention of the Devil.' Can you imagine a stern old religious fanatic like that accepting as a boon to mankind a modern radio set with its wires and bulbs and vacuum tubes and batteries?" Crosby shook his head despairingly. "Yes, I've thought of radio and I've tried radio. I'll always continue to try it. But even ether waves can't pierce through the wall of crank ignorance and fanaticism."

"No, you're right," agreed Melford. He paused. "Suppose she found her uncle dead when she arrived there?"

"Yes, suppose she did," agreed Crosby. "Well, her limited capital of three hundred and sixty dollars would have been fully consumed by her railroad fare from Leavenworth to 'Frisco, her ship passage, even second-class as it was, from 'Frisco to Sydney, and her railroad and stage coach fare to wherever she expected to find her uncle. She was a clever and neat little seamstress, however, even if she didn't have an iota of a mechanical brain, and had she found her uncle dead she would undoubtedly have settled down with some family somewhere in that region which she had decided upon to make her home, in order to replenish her purse. And once having done this, we can readily assume that she would have found new associations—have taken root, in other words. But I greatly fear that uncle, out in the bush, is hale and hearty, and she's with him."

"Well, you surely have had every channel of communication closed tight against you," agreed Melford, shaking his head. He tapped the clipping on his desk. "But—this story of Cape Town Eddy Courney and the stolen jewellery, containing the meshbag of silver sixpences. And this is the reason why you are here to-day, seeing me?"

"Yes," said the younger man determinedly, "that is why I am here to-day seeing you. At last, after a year and a half,

a chance has come to get on her trail once more. At last, after a year and a half, a message arrives from a poor devil whom Courney forced to aid him to escape, and I find myself through accident face to face with the surprising knowledge that Lindell Trent's meshbag lies on a volcanic island in the South Seas, together with the skeletons of two men and a few other pieces of jewellery which, of course, mean nothing to me." He leaned forward, his eyes gleaming with a strange resolve. "It means that to find the town or place in Australia that can serve as a focus for combing the country for a hundred miles around to find Lindell Trent, I must find that meshbag with her name and address engraved on it. Then I've got her back—if not for myself—at least to let her know that she's vindicated and that she need no longer go through life with the load of bitterness she's carrying. Do you see how it's the only clue left to me, Mr. Melford?"

Melford nodded in slow approval. "I get you, Mr. Crosby. You're right, beyond doubt." He paused. "Do you think the girl would have lost sufficient money in the theft of that handbag to have changed her plans, anyway?"

Crosby shook his head. "Chances are altogether that she kept her precious meagre store in a chamois skin-bag around her neck, or in her stocking. The handbag would have been for adornment, no more. I doubt whether she lost anything more than a handful of change by the theft of it." He smiled. "Mr. Melford, I am no fool, at least to-day, I hope. I am working or trying to work in the line known as criminal law. The first thing I was taught by Weidekamp, in whose offices I'm working, is to comb out a case—a case that involves my whole happiness in life. I have given countless hours, countless supplies of energy, countless nights' sleep, dollars more than you can dream of on this case of mine."

"Hm! I can see that you're no fool," Melford stated slowly. "Have you ever stopped to consider that some ship captain may have touched at this island and taken up the jewellery?"

Crosby shook his head. "I have. But I'm banking on the honesty of ship captains in general. If this had ever happened, I'm sure it would have been reported. Chiefly, however, I'm well aware of the fact that ships haven't time to go nosing in at every volcanic atoll and island searching for

something which may exist a thousand miles from that point. No, I'm convinced that the only man who'll ever find that tarnished meshbag is the man who goes out into the South Seas with the necessary capital and time to spend, and the resolution to stick on the job till he locates it."

"Now tell me," queried Melford, "how it happens that the log of the *Ocean Queen* doesn't give you the information at least as to who were the losers of this stolen jewellery, as well as their future addresses in case it was found. You'll recall you said——"

"Yes," interrupted his visitor. "That's because of the ill luck that has followed all of my investigations, I guess. The log itself carried the enumeration of the items reported stolen, but the names of each woman passenger who had suffered a loss, and her future whereabouts in Australia, had been entered on a separate slip of paper. That slip, it appears, had been merely pinned to the page of the log, and has long since disappeared. I feel, however, that even this information would have been of no value, for Lindell Trent, travelling on another woman's passport, could only have given to the captain that name which was on her passport, and a destination of a general nature, such as—say—Melbourne, Sydney, or Auckland. To have done otherwise would have invited an investigation of her papers." He paused. "All this, of course, was my first line of investigation after the first story appeared in the Chicago papers about finding of the message from Jeff Whittlesbee. Like several other lines, it amounted to nothing to me."

Nothing was said by either of the two men for a minute. Then Crosby again spoke.

"As you can guess from my association with Mr. Weidekamp's offices in Chicago, Mr. Melford, I am trying to specialize in criminal law. And I have seen Mr. Weidekamp, at work on it, spending weeks on the task, using his own time and that of us three assistants. It has been a revelation to me. And following his example, I have done everything that mortal man can do in this peculiar case of mine, but have been blocked at every step by a malignant fate which seems to declare that this young girl is never to know the truth from my lips. Australia is the haystack. Lindell Trent is the needle. At least this was the case until the day that this



fateful bottle message was picked up in the ocean. Now there's a chance to locate that needle, for the handbag tells us whereabouts in the haystack to search."

Crosby paused for the fraction of a second and then went on vehemently: "To the few people I have broached this matter to, I am looked at as a wild dreamer. And I, mind you, a man who has determined to make criminal law—a science in itself of fact and matter—my life-work. Yet—look at the case from any angle, Mr. Melford—there is no other way. But it is my intention to raise the money somehow, someway, to charter a ship and crew to steam out to the Southern Pacific for the necessary year, or even two years, to search out those thousands of volcanic islands one by one, one a day, two a day, three a day—whatever speed I can make—till I find the one that's got the skeletons of Jeff Whittlesbee and English Eddy Courney on it with that jewellery and, best of all, that meshbag. Then, at last, I've got in my possession the name that Lindell Trent finally took for her own, and the isolated place in the world to which she went to begin a new life. And from that I'll find her. I tell you I've got to find her." He paused for breath. "Well, Mr. Melford, what do you think about the project?"

Melford reflected for a long two or three minutes, his fingers drumming on his desk. He liked this young man from Chicago, somehow. He could easily see how Crosby could be called a dreamer, but the latter's project was not impossible of accomplishment by any means. If a well-equipped ship, supplied with plenty of food and water and coal, could afford to explore each island in turn, recording its location by a careful determination of its longitude and latitude and thus eliminating it, it was not unlikely that the one on which Whittlesbee and Courney had died could be found. But Melford knew, too, the expense of such a feat, and he admired his visitor for the unwavering perseverance with which the latter stuck to his forlorn chase like a cat after an unseen mouse.

He nodded his head very slowly. "Now, Mr. Crosby, this thing can be done. Of that you can be fairly certain. But it would cost you some money. It would require a swift small steamship—one large enough, remember, to weather the typhoons and gales of that part of the earth—one that

could work hour after hour, day after day, month after month, always on the job. It would require a first-class twenty-foot launch swung on davits in order to make landings. It would require men that could help in the search of each island, for some of them are larger than you imagine. Much of your time would be spent in searching the rocks themselves, you see, and you would need to cut down this element as much as possible. You'd need, of course, a registered captain, trained mariners who could take accurate latitude and longitude determinations and thus not retrace their own steps in and out the waters of the Pacific. You'd need a crew who wouldn't be restless and discontented because of being held to one long unbroken voyage, and to overcome that feeling you'd have to add extra wages or a bonus. Your search would not be comparable to searching for a needle in a haystack, but would be like trying to find a bean with a minute red speck on it, hidden in a whole hogshead of beans. A feat of accomplishment, I grant you, but a not impossible one at all. The only plan would be to divide up the Polynesian area into squares of—say—one degree each way—and eliminate these squares one by one. As to the time, I would estimate not less than one year. You might be lucky enough to accomplish your object in six months. On the other hand, it might require two years. There would be days when you could take in as many as four islands; other days when it would take several days in order to reach one. Now for the cost."

Enos Melford drew forth a ruled sheet of paper from a small drawer cabinet on his desk, and with a pen figured on a blank pad at his side, entering each item down on the ruled sheet as he came to his final figures. At last he turned in his chair and, drying his sheet with a blotter, handed it to Crosby.

"There, my boy," he said, "is as close an estimate, I believe, as you will be able to find anywhere. The total cost, you see, estimated on a basis of one year, comes to 22,500 dollars. I am certain that you cannot possibly beat this price. The reason is that Melford and Melford stand willing to fit you out practically at cost. You will note that the heaviest single item of expense is the rent of the vessel itself. You cannot fill out that item, I think, for less than the amount I have set down: 11,000 dollars."

Crosby had taken out his pencil and note-book, apparently in order to copy down the figures.

"Just keep the entire sheet," Melford directed. "You may want to study it over in your leisure moments."

The man from Chicago folded it up and placed it carefully away in his breast pocket. He looked at his watch and rose. "I'm taking up your valuable time, I'm afraid." His voice held a grateful tone in it. "I thank you greatly. I have had two more estimates on the thing out on the coast here, and I am frank to say that they have been very much higher than the one you've just given me. Of course even 22,500 dollars is a fortune for a clerk in a lawyer's office, earning 50 dollars a month." He smiled ruefully.

"I expect it is," agreed Melford. He too rose. "I expect it is." He paused. "I'd like to help you, Mr. Crosby. Your case is a strange one. In fact, I'm in readiness to fit you out on a cost basis—my figures prove that. I'm sorry, for your sake, that you haven't the necessary amount."

"No," Crosby returned wearily, "I haven't the necessary amount—not one-tenth of it. But I have health, a consuming ambition, some training along the lines I expect to follow, and what's most valuable of all, a bitter lesson in life. But one of these days my day will come. And when it does, I'll find those two skeletons and that silver meshbag—my only clue to Lindell Trent—if I have to work ten years afterwards to pay for it." He took up his hat. "I'll be back here one of these days, Mr. Melford, to take advantage of your kindness and interest. I don't know when. But I'll be back and with the money in my pocket. And then to the search." He gazed for a brief second out of the window, then looking squarely into Melford's eyes, thrust out his hand. "Good-bye, sir."

"Good-bye, my boy, and good luck." Enos Melford took the proffered hand.

After Mr. Crosby of Chicago had left the office, Enos Melford sat for several moments in deep reflection.

"He'll get the money or I'm no reader of men," he said confidently. "And he'll never give up the scheme."

## CHAPTER V

### THE MAN WHO WOULD NOT TALK

ARCHIBALD CHALMERS, *bon vivant* and member of as many London clubs as of Chicago ones, had not slept for hours as he lay in his comfortable bed in his bachelor quarters on Drexel Boulevard, Chicago. This city—so often termed the London of the West—claimed one-half of his time exactly as the gay and real London claimed the other half, and when the police pounded in their very American-like way on the door of his Chicago headquarters at two o'clock in the morning of January 22, 1928, it was himself who, clad in his rich brown silk dressing-gown, his bright red hair slightly awry, answered the door. There they stood, two of them plain-clothes men, jaws set, eyes keen and hard, and two of them with stolid expressionless faces, clad in blue uniforms.

Chalmers, standing in the doorway, stared out at them. The larger of the two plain-clothes men was the first to speak.

"Mr. Archibald Chalmers I'm talkin' to, am I?"

"The same," said Chalmers.

"I'll have to ask you to step down to detective headquarters with us."

The man in the dressing-gown, with his hand still on the door-knob, said nothing for a few seconds. At length he spoke, biting off his words with clear-cut enunciations: "Just what is wanted of me down there, please?"

"Get your clothes on," growled the plain-clothes man who had been the first to speak, "and don't bother us with any questions. Taxi's waiting downstairs."

Archibald Chalmers swung open the door of his bachelor apartment and snapping on the lights in a small parlour, beckoned the four men to take seats.

"If you gentlemen will excuse me till I dress," the young

clubman announced politely, "I'll be with you in about ten minutes."

The spokesman of the delegation from the Chicago detective bureau arose with a short hard laugh. "Hope you won't mind, but I'll just sit with you while you dress. Inspector Krenway's orders."

A shade of extreme annoyance swept over Chalmers' clean-cut, aristocratic face. Then he nodded his red thatched head.

"Very well," was all he said, and he marched into his bedroom, followed by the tall plain-clothes man.

On a neat, black-painted iron cot, close to a cheerful fireplace built in one of the walls of the bedroom, and still filled with the glowing embers of a coal fire, lay a young fellow of about Chalmers' own age—twenty-five or perhaps twenty-six—with yellow hair and the high cheek-bones that mark the Swede or Norwegian. At one end of the cot, not far from his elbow, stood a tiny mahogany taborette carrying a glass of water, a tea-spoon and a bottle of medicine.

"Sorry to wake you up, Oscar," said Chalmers quietly, "but I've got to go down to police headquarters at once." He turned to the man who had accompanied him. "Have a chair, my man. This is my valet. Just recovering from a serious illness." And with no further explanation of the odd circumstance of the presence of man in master's private-room, he fell to dressing.

The tiny gold clock on the chiffonier showed that not ten minutes had elapsed before the young clubman had dressed complete. Then, leading the way down the hall off the bedroom, followed by the plain-clothes man who had evidently been instructed not to let Chalmers out of his sight for a minute, he tapped on the door of a bedroom quite to the rear of the bachelor flat.

An old lady with white hair, clad in a grey woollen night-gown, came to the open door. Her mouth, seamed with the lines of many years, fell as she saw Chalmers, dressed from head to feet, his overcoat thrown over his arm, accompanied by the bull-necked man.

"Mrs. Morley, I've been summoned to police headquarters at once. Please take charge of things, and if Oscar wants anything while I'm gone, I'll count on you to take care of

him. The fire has gone down in the room. Better replenish it. Oscar's awake, by the way. Now don't be alarmed. I ought to be back here in a couple of hours, I think."

"What's the trouble, Mr. Chalmers?" quavered the white-haired old housekeeper.

"I haven't been informed," said her employer dryly. But he did not smile, and in his eyes was a troubled look. He turned to the man near him. "Well—let's go."

Stopping at the parlour, they beckoned to the other three waiting police officers, and closing the door behind them on a bachelor apartment containing a wide-awake valet and a much disturbed old lady housekeeper, every one of its six rooms ablaze with light, they tramped down the stairs of that exclusive building and out to a taxicab waiting silently at the curb. There they all piled in, Chalmers dropping into a seat next the man who preceded him, and he noticed that the rest so placed themselves that someone was on each side of him and in front of him: so that, in fact, no possible flight from the vehicle was possible, did one contemplate such a procedure.

The drive through the silent streets of the city was made with no conversation on the part of anyone. Once Chalmers asked permission to smoke, and receiving it lighted a cigarette from a hand-chased silver case in his back pocket. The other four men watched him a little curiously, but nothing was said either to him or between themselves. At length the machine drew whiningly up in front of the dingy old building at the mouth of the La Salle Street tunnel which for years uncountable had housed Chicago's detective headquarters.

Inside, Chalmers made his way undecidedly along, guided a bit at different turns and stairways by one or the other of the detectives at each side of him. At a door the glazed glass of which bore the painted letters "Inspector Krenway," ablaze with lights and the buzz of conversation at this quiet hour of the morning, they stopped, and the man at Chalmers' right opened it without knocking.

A roomful of men met their gaze. Around the walls were enlarged reproductions of thumb-prints, Bertillon charts in gaudy colours, double photographs of criminals taken from the front and side, and sundry other sinister exhibits that marked the offices of Chicago's most energetic criminal

apprehenders. A good many of the occupants were evidently reporters, for their cameras and notebooks lay around them. Others, seated astride the wooden-chairs, bore the unmistakable earmarks of the "dick." The room was full of cigar and cigarette smoke. In the centre, at a flat-top desk littered with papers and photographs of various sorts, sat a man of about thirty-six years of age, with black hair, flecked with iron-grey, keen, piercing ferrety black eyes, and an expression on his smoothly shaved face which was that of the sour, disappointed individual in life. He was in his shirt-sleeves.

"Here's Chalmers, Chief Krenway," said the spokesman of the plain-clothes men.

He of the thin lips and the grey-flecked black hair shoved an empty wooden chair out from his desk, by means of his foot. "Sit down, Chalmers," he said in a voice that held a suspiciously over-friendly note in it.

The young clubman sat down on the proffered seat, again lighting a cigarette from his silver case. Both the reporters and the detectives watched him with marked interest. Krenway waited patiently until the cigarette was going. Then he spoke.

"Chalmers, why did you kill Rupert van Slyke to-night?"

Archibald Chalmers answered but five words.

"So Van's dead, is he?"

"You didn't know it, eh?" said the chief sarcastically.

"Come, Chalmers, be sensible. We've got the goods on you. What was the reason?"

"I see," remarked Chalmers easily, "that you have me here as a murder suspect. Well, I have nothing whatever to say until I consult my attorney."

"Where'd you spend the night?" barked Krenway suddenly.

Chalmers made no reply for a full minute. He looked at Krenway through cautious eyes. "In my rooms."

"Th' hell you did," snapped Krenway. "Not around ten o'clock, you didn't. You spent that time putting a bullet into van Slyke's brain. But why'd you do it, Chalmers? Why'd you do it?" He leaned over. "Now listen, man. We got that letter you wrote him. They've got the servant you grappled with, over at the 32nd Precinct station now. In other words, Chalmers, we've got you dead to rights.

It's only three in the morning now. You pulled that stunt at ten bells. Only five hours elapsed. If we've got it on you this much before dawn, how much'll we have on you by to-morrow morning, by to-morrow noon, by to-morrow night, eh? Answer me that?"

"Yes, man," said one of the reporters, evidently thinking of the chance that still remained for publishing in the morning papers the 'complete confession of the murderer,' "I'd talk if I were you."

Chalmers turned his supercilious gaze on this worthy. "Was anyone addressing you?" he said coldly. And the reporter promptly seemed to shrivel in his chair.

The young clubman turned to Krenway. "Evidently you've brought me up here to third-degree me. You've come out point-blank with the accusation that I killed Rupert van Slyke. I might as well tell you now that I wasn't born yesterday. You can't third-degree me or anyone else in this year 1928. I'll show you up before the papers and have your job as well if you try any such stunts as that. Now I'll let you ask me one question, and that's all. After that, I want a chance to call a lawyer and I want it damn quick."

"Well, I'll ask you the one question," snarled Krenway savagely. It was obvious that he saw that this cool, unperturbed young London and Chicago clubman was not one of the criminal ilk to be easily subjugated by the methods used on friendless crooks. "And here's the question. Did you or didn't you kill van Slyke to-night?"

"And here's my answer," replied Chalmers with a sneer in his voice. "If I had killed him, would I tell you anything else but no? Would I put myself in your electric chair? And if I hadn't killed him, would I say anything but no? My answer in either case would be no. What else could it be? So here's my reply to your question. N—O, no. Get it? You are a fool, Inspector Krenway, if I may be allowed the comment, for my answer isn't worth a tinker's damn. Take it for what it's worth to you, though." His eyes turned to a telephone across the room. "I want to call my lawyer, or the British Consul."

Krenway leaned back in his swivel chair. Under half-closed eyes, smouldering with rage, he surveyed Archibald Chalmers. "British subject, eh? So!" Then he turned



to the two men who had brought him in. "We'll hold him all night and book him in the morning for preliminary hearing. Send out no messages to any lawyers or British Consuls either until after 8 a.m." He turned on Chalmers. "If you'd been a little more civil, my friend, you'd have gotten——" He broke off, and nodded curtly to the tall plain-clothes man who had accompanied Chalmers from the Drexel Boulevard flat. "Take him downstairs and lock him up." He turned to the reporters. "I guess that's all for you boys to-night. Sorry."

Chalmers arose with dignity, and, without even a backward look at the man at the flat-top desk, followed the men who had taken him from his warm bedroom, miles away. Down they went, past corridors, doors, little stairways, and to the basement, where a sleepy night lock-up keeper searched him, removed from his pockets every bit of money and papers, unlocked the barred door of a corridor of cells and led the way to one of the row, neatly whitewashed, furnished only with a hardwood bench, and cut off by a strong iron-barred door.

As Chalmers stepped in the cell, and the door banged behind him, he gave one message to the night lock-up keeper. "Please call my attorney, Mr. James F. Melford, as soon as you can. West Washington Boulevard until business hours. The Rookery Building after that. Keep a five-dollar bill out of my change for the service. And see that I get some decent breakfast in this hole." And laying out his silk-lined overcoat on the single bench the cell contained, he prepared himself for a long night.

No one came to molest or question him. Came dawn at last, and the grey light filtering in through the tiny high-barred window at the back of the cell. With the arrival of daylight itself came a warm breakfast such as was probably never before served to a prisoner in that lock-up, borne on a tray by the old lock-up keeper whose attitude, now that five-dollar bills had been mentioned, had changed appreciably.

"Did you call Attorney Melford?" was Chalmers' first question.

"We had orders not to call him until morning. State's attorney's directions, Mr. Chalmers, on night arrests. Too many habeas corpus proceedings, you see, without the State

being represented." He paused in the doorway. "But I'm going to call him in a half-hour, sir."

At eight-thirty came Melford, a tall, white-haired man of about fifty-three, with gentlemanly bearing and rather mild demeanour. For years he had been the family lawyer in America of Chalmers and of Chalmers' father, and was supposed to be something of an authority on real estate and intricate legal problems involving the title thereto.

"I'm sorry, boy, to hear the news," was his greeting, as soon as he was ushered into the cell and they were alone.

"What's in the papers?" was Chalmers' hasty and precipitate retort.

"They've reproduced your letter to van Slyke. He was killed at ten o'clock last night, in his bedroom, and the murderer escaped down the front stairway of his home, grappling with the house servant. He—he had red hair, Archie," Melford added reluctantly.

"I see," said Chalmers. He paused, biting his lips. "Mr. Melford, I called you down here, not to look out for my interests, but to get some information from you on one point. What I want now is the name of a crack criminal lawyer right in this town, one that you can personally recommend. One that won't hold me up, just because I happen to be mentioned in *Town Tattle* and the *Clubman* occasionally: for you know as well as I, how I'm fixed on the cursed money question."

Melford thought for a minute. Then he spoke.

"How about Schaeffer, my boy?"

"Schaeffer?" Chalmers pondered. "Wasn't it Schaeffer who got out a series of sensational newspaper articles last year telling the psychological tricks he uses to make the jury vote innocent?"

Melford pursed up his lips uncomfortably. He nodded.

"But he's a wonder, Archie."

Chalmers shook his head emphatically. "No, wouldn't do, Mr. Melford. Wouldn't do at all."

Melford thought. "Archie, I don't know how badly you're entangled in this mess, but I want to see you protected the best I can. Now I suppose Fosdick, who doesn't touch a case involving murder under 10,000 dollars cash down, is out of the question."

"Absolutely," averred he of the red hair. "Absolutely. You know the money situation with me as well as I. With Uncle Peter holding on with grim earnestness to life—poor old boy—there's no chances of any sum like that."

Melford proceeded to reflect upon the matter further. Of a sudden he spoke. "Have you any objections to a young man, Archie?"

"None whatever if you say he's a No. 1. But, Mr. Melford, he's got to be a crack youngster. No has-beens or never-wases are going to do."

"Then I feel I've got the man for you, Archie. I'll give you his name and send for him myself if you say the word. Crosby is his name. David Crosby—just that and acquainted with him at the Bar Association. My brother Enos, in business out on the coast with my other brother Tom, as ship chandlers, wrote me to look him up here in Chicago when I got time. He came up to Chicago in the spring of 1924 from a little town down in Kansas. Took the examination for the Bar here in Illinois and passed it without much trouble. Must have made a good impression on Weidekamp——"

"Weidekamp, eh?" interrupted Chalmers. "Why, Weidekamp was the best criminal lawyer in the Middle West. Died last year, didn't he?"

Melford nodded. "Yes, the same one. Well, Weidekamp needed an assistant for detail work and took him in his office, and I've heard from other sources that for three years Crosby worked twenty hours a day for pretty near next to nothing. When Weidekamp died last year, Crosby opened up his own office. He cleared Stanley Talcott, that Board of Trade clerk, in the 50,000 dollar bond theft-case. The whole Bar were betting that Talcott was guilty, and when the jury voted not guilty we all figured that Crosby had slipped one over for sure that time. Then, two weeks later, came the news of the capture of Abe Ginsburg in Mexico City with the stolen bonds, and Ginsburg's famous confession which showed that Crosby had simply cleared an innocent man after all. Incidentally, Archie, he got exactly 250 dollars for his work in that case and it was worth 2,500 dollars."

"He interests me," was Chalmers' prompt comment. "I was at Atlantic City when that Talcott case went on trial. This is the first I ever heard how it came out." He paused.

"What was the errand that brought him to your brother Enos out on the coast?"

James Melford smiled a quizzical smile. "The man has had some kind of a love affair back in his life—I don't know the exact details. Some girl that meant something to him sailed to Australia a number of years ago, and disappeared. It seems that some well-known crook died on a volcanic island in the South Seas some years back, according to a more or less incoherent bottle-message picked up, and among his loot, taken from the vessel he decamped from—the same vessel this girl of Crosby's sailed on—was a handbag made of silver sixpences—her handbag as Crosby happened to know. That handbag is still on this island. Circumstances cover up the location of this island, however, so much so that a search of the whole South Seas between the Equator and 20 degrees South would be necessary to find it. But the girl's location—her hiding-place, so far as I can determine—as well as some new name she took because of some private misfortune, is engraved on the inside of the metal bag. It appears that all he's working for is to get money enough to charter a ship and men, provisions and coal, and start out to comb the whole South Seas for that island, and incidentally for that handbag. A pretty wild project, isn't it?"

"Hm!" Chalmers studied on the matter for a moment. "Not so wild, though," he commented. "It merely shows that he's just a bit more of a fighter than the ordinary man. Mr. Melford, send Crosby over here. I want to talk money with him. I tell you this affair is going to go further than either you or I think."

Melford arose. "I'll get him on the phone, Archie, in the outside corridor, and have him over here in a jiffy." And with a warm handshake of his young client in matters of property, he summoned the lock-up keeper and left the cell.

Crosby was evidently a live wire, for he arrived within fifteen minutes, and Chalmers surveyed the man he had chosen in the dark to defend his interests.

The latter was undoubtedly young. He looked to be around thirty—no more. But in the square jaw, the straight-forward looking eyes, the broad athletic figure was the suggestion of powerful energy and untiring belligerency.

"Now, Mr. Crosby," began Chalmers as soon as the other

had introduced himself and was seated on the wooden bench at his side, "I'm in trouble. And I have a hunch that this affair is going to wind up in court before I'm done with it. First thing I want to know is what are your charges—your fees?"

"Before we step to that," said his visitor, "let me get the straight of the international status of affairs. Mr. Melford informs me you are a British subject. This of course doesn't help you in an American criminal case, because you come solely under the jurisdiction of the country in which the alleged crime is committed. But what is this British angle?"

"Born in England," said Chalmers laconically. "Father and mother legally separated early in my life. Father came to America and planted himself and his business interests here in Chicago. He never took American citizenship, however. The English courts decreed that I should remain six months of the year with each parent. Formed the habit, therefore, of living in each country, and when my mother died I continued it automatically ever after. Never gave up my British citizenship, in honour of her memory, and also because it seemed as though London and Chicago were just a pair of suburbs to me—both an integral part of my life. Now to my vital question again. What are your charges or fees?"

The answer was something different than Chalmers, accustomed to pay for things at the highest prices, expected. "My fee depends upon the size of your pocket-book, Mr. Chalmers. Suppose we say one half your yearly income would be my fee if this thing goes to trial? If that is satisfactory, write me an initial retainer of—say—250 dollars, and we'll proceed to talk things together."

Chalmers laughed a mirthless laugh.

"Your proposition is more than satisfactory to me," he said, "but lest you have any illusions about my financial status, I might say that my sole income is 6,000 dollars per year, payable quarterly, and paid me directly by my uncle, Peter Chalmers of Omaha, incidentally a naturalized American. Sort of a brotherly love agreement"—his voice grew a bit bitter—"between my father and him, that he was to take over the joint manufacturing interests and the rest of the Chalmers' estate, and pay me the sum of 6,000 dollars per year until his own death, when of course I come into everything."

Crosby appeared to listen only with a mild degree of interest. "All right, my dear fellow. That puts my fee at 3,000 dollars then, doesn't it? So you're confident, are you, that you're going to wind up in the American law courts, eh, before a jury?"

Chalmers' answer was cryptic. "There are all sorts of cards on the deck, my friend, and I have only my own hand to inspect, remember." He paused. "All right, Crosby. Let's go. I'll write you out a cheque for that retainer before you leave the cell here. Now what are you going to quiz me about first, eh?"

Crosby tapped with his fingers on the hard wooden bench. "I'm going to ask you a preliminary question, Mr. Chalmers, that will help me more than anything else to handle your case. I'm going to write it out on paper and you can answer me yes or no." He took from his pocket a notebook and hastily wrote out several words with a pencil. He tore off the sheet and handed it to his new client. "If I were in your shoes, I would answer that for the good of my case."

Chalmers, taking the tiny sheet from his fingers, stared at the words in the dim flare of the electric bulbs:

"Did you kill van Slyke?"

Chalmers laughed a harsh, constrained laugh. He tore up the sheet of paper into tiny bits before replying. "Crosby," he said wearily, "if I killed van Slyke I certainly wouldn't tell the police or anyone else on earth, nor even my attorney. My answer in that case would be no. If I didn't kill him, it would again be no. So my answer, I'm sorry to say, is no. And what's it worth? Nothing."

Crosby's laugh was low and amused. "Well, that's enough, I guess. That answers it at least." He paused, but Chalmers' voice broke in again.

"And one more thing, Crosby, before I send you out to the lock-up keeper's desk for my cheque-book. I don't know how far this thing is going to go. We'll simply let matters come up as they come. Get this well understood, however. I don't intend to take the witness-stand under any conditions. I also refuse to answer any questions, even to yourself. As to a certain letter or letters written to van Slyke, and other things which are going to pop up, I have nothing to say. My lips are sealed. I'll give you what defence I have—the names

of two witnesses. At no time, now or later, are you to ask me any questions. Have you got it?"

David Crosby rose suddenly from the wooden bench. Chalmers watched him with growing uneasiness.

"Chalmers, you've got the idea that you're hiring a valet or a butler," were his surprising words. "I don't know where you ever derived the impression that you can employ a professional man and dictate to him as though he were some sort of an underling. I'm going to let you turn your affairs over to another man, and do myself exactly what Weidekamp would have done had anyone tried to treat him like a 20 dollar a week valet—relinquish your case altogether. Good day, Mr. Chalmers." He raised his hand toward the button that connected with the lock-up keeper's desk outside.

"Wait." Archibald Chalmers' face was a mixture of conflicting emotions. "Don't desert me, Crosby, please. Really, you've got me altogether wrong."

But Crosby appeared to be clearly angry, manifestly rebellious at the words and tone of voice used on him a moment before.

"My friend," he said, "much as I happen to need money, I can earn enough of it from other sources to counterbalance any fees from you. In the first place, I can see with half an eye that you would be an impossible client—the kind of patient who wants his doctor to prescribe exactly the medicine that the patient wants. And, second, until you get down to earth and forget that you belong to a mythical four hundred élite souls around this town, you had better dig up an attorney from your own set. That's all. I'm going now."

Quickly Chalmers crossed the intervening space between them. He put both his hands on the other's shoulders.

"Crosby, forgive me. I apologize. I'm a bit upset to-day. I want you and no one else in this big town to look out for me. I'm not going to get out of this mess at any preliminary hearing. There—there—well, there are reasons. That's all. I—I cannot say more." He struggled for some sort of an effective argument. "Crosby, before you go, let me ask you a question—and don't be insulted. Remember, Melford is a friend of mine and a friend of yours. Now he's told me something of a certain odd scheme of yours. Wait—don't be angry. This is of interest to you, I'm sure. How much

money have you saved up toward that scheme—that—search of the entire South Sea Islands ? ”

The lawyer regarded him for a long minute, through partly closed eyes. It was plain that he was slightly nettled, but at the same time puzzled by the query.

“Six thousand dollars,” he said. He waited a moment. “Well, what about it ? ”

“Remember that I have nothing to say for or against or about that scheme of yours. Now let me ask you just one more question. The biggest obstacle in your way is a ship, isn’t it ? ”

Crosby’s eyes bored through the other man. He was still angry.

“It is. What about it ? ”

“Will—will you sit down a minute, Crosby, please ? I apologize for my attitude of a minute past.”

Crosby dropped down on the hardwood bench. He said nothing. Chalmers spoke quickly, a bit nervously.

“Crosby, 3,000 dollars might mean something to you in that scheme of yours, but I know full well it wouldn’t solve it by any means. I know something of sailing and crews and the expenses of ocean navigation. Been all over the world. I’m a deep-sea man. Now listen to me. You’ll have to take my word for a moment on these details—until you look ’em up, providing you care to. As I told you before, my uncle is Peter Chalmers of Omaha. He’s rated at over a half-million dollars. Uncle Peter is dying at a private sanatorium at Plattsmouth, Nebraska. They say he hasn’t a chance to live but a few more months at the most. Among the assets of his estate is the oil-burning yacht, *King Midas*. He had to take it in payment of a huge business debt from George W. Markle, the Boston millionaire who originally built it. It’s a 10,000 ton displacement vessel. Twin-screw. Supposed to be the most mechanically efficient vessel ever constructed. And speed ? Well, enough to tell you that it’s made New York to St. Croix in two and a half days. Equipped with electric searchlight, and 50,000 dollars worth of accessories. Registered under uncle’s name, of course.”

Chalmers paused for breath and continued. “The *King Midas* just now is being rented out on a month to month lease to a corporation which runs it as a pleasure boat, taking



tourist parties down to the West Indies and back. Think of it, Crosby—a thoroughbred racehorse being rented out to carry kids around a track! That's just what it is. And the reason—well, it's a white elephant, that's why. Now, Crosby, when poor old uncle passes over, that yacht goes over to me. I'm the only heir he's got. And so I'm going to make you a mighty big proposition now. Remember, I know very little about your South Sea Island scheme, but I do know that with your capital and the ship—that is, a mechanical phenomenon like the *King Midas*—you'd be just about ready to start out on your search of a year or more. And I'm going to offer you a big stake now—and—and remember I'm—I'm ready to come off my high horse as well. You're the exact man I want to handle my case. I don't want to look further. Now I propose we forget our talk of 3,000 dollars. I want to put you in the way of a big thing, a case of everything if you win—nothing if you lose. Then you'll fight like hell for my interests. Take my case, carry me through this mess, accede, please, to my request that I be asked no questions now or ever or at any time by you, and I stand ready at uncle's death—if you pull me through clean—to turn over that yacht *King Midas* to you under an indefinite lease, you to use it—one—two—three—five years, if you have to—free of charge, the vessel not to be turned back to me until you've finished your quest. This to be the fee, only providing you pull me through clean—with my skirts clear—if they try to try me before a jury, and if they hang me or imprison me, damn them, you to get nothing but the 250 dollars that I stand ready to write you out a cheque for now. I'm putting a big thing your way, because I want you."

Crosby, as Chalmers spoke, had opened his cool eyes wider and wider. Now, however, he did not show any further signs of rising in his resentment and ringing the bell at the edge of the cell door.

"Three questions, Chalmers," he bit out as the other finished. "Are you willing to sign a contract embracing the offer you've just made, said contract to be effective, of course, only if your uncle dies and makes you his heir?"

Chalmers nodded. "Of course I am."

"Willing for me to stipulate in the contract that if by any chance this yacht *King Midas* is sold before your uncle's

death or not included in his estate, you'll substitute a sea-worthy vessel of no less than 10,000 tons displacement, to be bought or rented out of your inheritance?"

Chalmers nodded. "Surely—but you need have no fear, Crosby. The *King Midas* will never be sold, for no one will ever pay the amount of the debt it was taken for."

"Where could I substantiate every detail you've just told me?"

"My uncle's lawyers are Marchbank, Marchbank and Marchbank in the City National Bank Building at Omaha. His physician is Dr. Theodore Golden, of Golden's Sanatorium, Plattsmouth, Nebraska. The yacht's name you have: its title is recorded under the American registry. Leased to the New York and Jamaica Transport Company, 34 Whitehall Street, New York. Or go to Melford. He has correspondence from all these people, relative to the whole matter."

"He knows the whole situation?" queried Crosby.

Chalmers nodded.

"Then there's no need of investigating further on that just now," said the other quietly. "Anything that Jim Melford tells me about your affairs is absolutely straight. Jim Melford is one of the whitest, squarest men at the Chicago Bar, and his brother Enos out in San Francisco is a close second. Chalmers, I'm going to accept your offer. There's a number of chances I'm taking, but I'm taking 'em with my eyes open. Somehow, I don't think you killed van Slyke, but you act as though you've a good deal to conceal. If you want to stay off the witness-stand, if you want to keep your mouth shut to matters about which I might want desperately to question you privately, it's your own affair. This much is certain—I'll do the very best I can with what I have to work upon. That's all." He rose. "Now I suppose you'll want your cheque-book from the lock-up keeper. And this afternoon I'll send over a type-written contract after I've talked with Jim Melford. You can sign it and return it by the lad that brings it over."

"Entirely satisfactory," said Chalmers, a faint sigh of relief escaping him. "And I'll sign that retainer now if you'll get my cheque-book for me."

Crosby rang for the lock-up keeper. He left the cell door with him. The two men's feet could be heard echoing up

the stone corridor. Chalmers sank down on the edge of the hard bench once more. He dropped his chin disconsolately in his hands.

"Melford is right. That young fellow makes up in fight what he lacks in years," he ruminated. "And I've got him hooked up on a proposition where he'll have to fight to win."

## CHAPTER VI

### THE OPENING OF THE BATTLE

**A**T last Archibald Chalmers, whose strange and baffling case was to cause, perhaps, more breakfast-table arguments than any city happening of small or large degree, was on trial for murder.

Close upon three months Chalmers had been locked in the county jail. And close upon three months had speculation been rife as to the outcome of his trial. The papers which at one time had been more or less evenly divided as to Chalmers' guilt were, now that the trial was about to begin, more cautious in their captions, yet less parsimonious in the use of their red ink, for the trial of a society silk-stocking who is equally at home on two sides of a great ocean makes for good news. There were court fans who predicted a trial lasting a week, and there were other court fans who ruefully declared that the trial would last not more than two days at the most.

The last of the jurymen had been accepted at noontime. The court-room was packed, not a seat being vacant. Outside, a brisk light afternoon snow was drifting against the window-panes, for it was only April; spring in Chicago was still in the offing, and belated March was still roaring up and down the streets. Yet the chill blasts of the end of winter had not deterred the city crowds from turning out in full force. Some, it could be perceived, saw only that one of the city's youngest and best known society men was to be tried for his life; while others, it was plain, saw only the interesting clash that must ensue for such a rich prize as a silk-stocking's freedom between Ballmeier—"Blue-Bow" Ballmeier—who during the time that the gallows were still in use in Cook County, had hanged Ekeburg, Cooley, Kane,

Johnson, and a whole score of alleged murderers, and David Crosby, a former associate of the Great Weidekamp, an unknown, who either through a lucky fluke or sprouting ability had successfully cleared Stanley Talcott of the famous bond theft case.

Ballmeier was wearing his famous blue-bow tie !

"Blue-Bow" Ballmeier they had begun to call him back in 1915, when he had first climbed into the assistant State's attorneyship, and someone had fortuitously discovered that in each case where Ballmeier had got his man, so to speak, he had been wearing that famous blue-bow which had been his notice to the world that the case was his. To be sure, there had been instances where Ballmeier had got his man when he hadn't been certain enough to wear his blue-bow tie, and there had even been other instances, rare, of course, where he had lost his prize even though the blue-bow had proclaimed that the prize was his. But these, as it has been remarked, were rare—and the blue-bow was a symbolic message to those who frequented the courts. It meant that Ballmeier had already added a peg to his belt upon which to hang a new professional scalp.

He made an odd, incongruous figure as he stood at the prosecutor's side of the lawyers' table, addressing the jury composed of the usual heterogeneous twelve men, comprising everything from the sodden, stupid-looking labourer's face, to the sharp, keen physiognomy of the young professional man. In age, forty-eight or forty-nine, his short hair showing streaks of iron-grey. Head bullet like, set low on his shoulders ; little short squat body ; vest wrinkled and heavy gold watch-chain clanking across his breast ; hand pudgy—a bit clammy and moist, one might imagine—a ponderous gold ring bedecking his right-hand little finger. Eyes a bit squinty, but keen, dangerous, snapping, intensified by that alert forward thrust of the head as though trying to ferret out his opponent's moves, and underneath the stocky neck with its folds of flesh in the back the cocky little blue-bow set in its low collar.

And the strange gamut of unlike faces, defendant, prosecutor, jury and audience, was completed by that of Judge Lockhart, who with his rather stern face, made even more stern by his gold-rimmed eyeglasses and their long black

silk cord, gazed down thoughtfully, chin in hand, listening to the opening arguments of the man with the blue-bow tie.

Crosby, sitting next to his client at the long polished table, gazed curiously around him at the crowded court-room. He was wondering about two things. Strangely, for the first time in several days he had surveyed that sea of faces, it was borne in to his consciousness that the upper key of the octave was at last close to being sounded for him, that from that lower C where he had stood up as a clumsy, ill-clad lout in a spider-webbed white-washed court-room in a country town to plead for his first client who was all the time innocent, he sat at last at high C, lawyer for the defence in a big city court-room, with a potential millionaire as a client. With all his faculties concentrated on Ballmeier and the latter's opening speech, he found himself still wondering if it were all true, all real.

And from this source of wonderment his eyes, resting absently on The Woman, brought his reflections, Ballmeier's speech notwithstanding, to that other source of puzzlement. Who was that veiled woman of thirty-five who sat sometimes in the first row, sometimes in the second, sometimes in the third, but never out of earshot of every word? His own ears taking in every word of Ballmeier's address, his mind persisted in straying back to the interminable three-day period in which they had picked the jury, exhausting panel after panel, and from the calling of the first venireman to the accepting of the twelfth jurymen always was she there, immovable, chin in hand. Back of the black thick veil her features were cut off from the stare of those around her, but he, standing on the steps of the Criminal Court Building, that first morning after the picking of the jurymen had begun, had seen that patrician face as she stepped from the vestibule and raised the all-concealing veil for a moment to signal a taxicab. Thirty-five she undoubtedly was, no more and hardly less. The features refined, the nose and chin and lips those of a delicately reared woman. Eyes a light hazel, and hair a chestnut brown. He saw her now as, while Ballmeier punctuated his remarks by emphatic gestures of his arm, she leaned forward in her fur-trimmed suit, and it persisted in irritating him, the never-broken

presence of this veiled woman, almost the first to arrive in the court-room in the morning, so the bailiff had smilingly told Crosby, and the last to leave it after the day's wrangling over the jurymen was ended. Truly it appeared that there was one of that densely packed audience who intended to follow the trial with all the absorption that must characterize those who conducted it.

But Crosby's reveries were suddenly broken into by what he knew were Ballmeier's last words.

"And so I say to you, gentlemen," he pronounced, "the State will produce competent witnesses to prove not only the presence of the motive of this skulking crime, but will prove as well that this man Chalmers, who refused to talk at his preliminary examination and arrest, was at that point on the night of January 21 when the shot was fired. And when the State has produced its last piece of evidence, there will be no course left to a jury of intelligent thinking men but to bring in one verdict. And that verdict, I have no hesitation whatever in predicting, will be murder in the first degree. The State has finished."

Crosby, with a reassuring smile to the pink-faced clubman at his elbow who leaned forward with a pained expression on his face, rose to his own feet. His own speech was so short as to cause audible comment among those assembled in the court-room. His return to his chair was almost like the period to a pungent sentence.

"Gentlemen, the State alleges it will prove certain matters of motive, opportunity and what not. All the motives in the world to commit a murder, all the opportunity, are not worth a nickel if the man accused of the crime was not at the scene of the crime, and if the witnesses who so testify cannot be shaken. Rupert van Slyke, my client's former friend and one-time college mate, whom he is accused of having shot dead at ten o'clock in the evening of January 21 last, was undoubtedly murdered, we'll all agree. But if my honourable confrère here can prove that my client can so juggle a gun that it will shoot its bullet some eight and a half miles around a number of twists and turns, down some stairways and up again, I make a personal request of you that you send Archibald Chalmers straight to the electric chair in the county jail, and I'll pull the switch myself; for only

with such an example of adroit long-distance shooting, as the defence will prove, could Archibald Chalmers have murdered Rupert van Slyke."

He sat down. It was a bold and dramatic speech. The defendant winced visibly. The jury stiffened up and looked just a little more interestedly at this young erect man in the tweed suit who gave his address with such a daring form of expression. The onlookers in the court-room shifted their positions in pleased expectancy. Evidently there was to be a battle of testimony as well as wits.

The first witness called by Ballmeier was an undersized thin little man, slightly bald on top and with a cringing, anxious air about him. He ascended the stand with an apologetic, servile mien, such as characterizes the underlings of rich men. In answer to the usual preliminary questions he gave the name of Joseph Smalley and his occupation as that of waiter at the Sportsmen's Club on Plymouth Court.

"Where were you on the night of January 14, between the hours of eight in the evening and twelve midnight?"

"I was at the Sportsmen's Club carrying on my duties, sir."

"Never mind the 'sir.' Will you name to the jury two men concerned in this trial who are members or were members of the Sportsmen's Club?"

"I'm thinking, sir, you mean Mr. van Slyke, who was murdered, and Mr. Chalmers, who is on trial."

"Will you tell the jury in your own words what you heard take place that night between these two men?"

Joseph Smalley turned toward the jury. "I was on my way to the parlour about nine o'clock, carrying a tray of ices for some visiting ladies. I was just going past the open door of the smoking-room. I caught sight of Mr. van Slyke and Mr. Chalmers standing alone by the big window, facing each other as though they were angry, had had a fight or something. I heard Mr. Chalmers say: 'Van Slyke, you ought to be killed, and for the price of a Mexican postage stamp, I'd put a bullet through your skull.'" Smalley stopped. "That's all, I guess?"

Asked Ballmeier: "You hurried on then with your ices, and heard no more?"

Smalley nodded half to the jury. "I—I couldn't stand



in the door and gape at a gentleman's quarrel, sir. It—it wouldn't be right, sir. I went on to the parlour with the ices for the ladies."

Ballmeier stood thinking, his lips pursed up. Then he stifled a yawn—whether real or assumed there was no telling. "Witness for the State excused," he said suddenly and abruptly, and to the obvious surprise of the onlookers sat down in his chair after having questioned his witness only three short minutes.

Crosby, hands in pockets, gazing out of the window, began his examination. He appeared nonchalant, even bored with his task. He made no attempt to elicit any contradictions in the very simple story told by the waiter. Indeed, his first question appeared to have no connection whatever with the incident Smalley had related.

"What are your earnings as waiter at the present time at the Sportsmen's Club, Mr. Smalley?"

Smalley looked surprised. He half hesitated, then answered: "Sixty dollars a month and board, sir."

"What were they prior to December 1 last year?"

Smalley looked puzzled. "They ran around 100 dollars a month and board before that."

"This was due to the stringent anti-tipping rule instituted at the Sportsmen's Club by the committee in charge of its management, was it not?"

"Yes, sir."

"Who was the chairman of that committee who induced them to pass a rule which cut 40 dollars a month off your income?"

"Mr. Chalmers." There was an appreciable vindictive tone in the waiter's voice as he bit out the reply.

Ballmeier was springing to his feet like a shot. "That last question, your honour, is an insult to a credible witness," he bellowed. "I object."

"Objection sustained," said Judge Lockhart pleasantly. "I can't see that that should be interjected at all, Mr. Crosby."

Crosby gazed up at the bench. "Very well, your honour. I withdraw the question gladly." He gazed out of the window a long moment. Then turning to Smalley he smiled reassuringly at him. "Excused, Mr. Smalley," he said.

His cross-examination had taken even less time than the three minutes consumed by Ballmeier.

The next witness was Pat O'Brien, the check-room boy of the Sportsmen's Club. He was a fresh-faced Irish boy of about seventeen, with blue eyes, coal-black hair, and ruddy countenance that shone from a too generous application of soap. His story was a corroboration of that just told by Smalley. Concluding with him, Ballmeier flipped a paper over his table. He smiled. "That's all, Pat. You're excused. Answer any questions the attorney for the defence asks."

Again Crosby made no attempt to elicit either contradiction or discrepancy. Instead he braced his shoulders and took a good long breath. He wondered just how far he would get with his next question—his one and only line of logical attack—before Ballmeier, the ever-watchful, would nip that same question in the bud.

"Pat, did you ever get up and give a short speech at a certain private meeting held in the basement of the Sportsmen's Club on or about the 2nd of January and attended by every one of the employees of the Club from the chambermaids down to check-boy—yourself—in which it was unanimously agreed and even computed that the employees of the club were being mulcted out of exactly 6,600 dollars a year on account of the successful activities toward the abolishing of tipping instituted by Mr. Chalmers?"

Ballmeier's rise to his feet was that of a blue-hued skyrocket. His voice was the roar of a lion.

"Object, your honour. The defence is again inserting innuendoes regarding the motives of these trustworthy witnesses in testifying."

Lockhart spoke from the bench. "I don't see that I can allow the witness to answer a question like that, Mr. Crosby. It suggests too strongly a motive of personal malice in the trial."

"I knew of an innocent defendant once, your honour," returned Crosby quietly, "who was sent to the penitentiary solely because the malice of the chief witness against her didn't creep out in the trial. But I withdraw the question which causes Mr. Ballmeier such perturbation." He waved his hand. "Excused." And he sat down while Pat O'Brien hastily clambered down from the witness-stand.

The prosecutor, aided by the judge, had won the two small preliminary tilts. A brief lull followed. Ballmeier shuffled with some papers.

"Building a powerful arch stone by stone, all right," said Crosby grimly to himself, "and preparing the foundation for his big strong keystone. Now what will it be and when will he lay it?"

But Ballmeier's dogged, unruffled mien, as he sat at the counsel's table, showed that if he were preparing to lay the keystone of the State's arch, it would be laid upon a sufficiently strong foundation to hold it from crashing to earth. Yet crash to earth it somehow must, and crash into fine fragments it somehow must, if ever the *King Midas* were to scour the Southern Seas for the clue to Lindell Trent.

## CHAPTER VII

### THE "YELLOW DOG" EXHIBIT

**B**ALLMEIER'S next stone in his arch was Mrs. Maude Ganniston, who described herself as a widow residing one door south of the old van Slyke mansion in which Rupert van Slyke had lived alone with a servant. Mrs. Ganniston was a plump woman of about forty-five, a little perturbed at testifying before all these people. Her story was to the effect that she had lived next to the van Slyke residence for twenty years, knew Rupert van Slyke grow from Eton collars and boarding-schools to the age of thirty-three, at which he had met his death. Her recital of the events of the night of the murder, as brought out by Ballmeier's questions, were simply and solely that while she was lying in bed trying to get some sleep that night, she had heard a shot, and one shot only, which appeared to be close in the neighbourhood, and that she fixed the time as exactly ten o'clock because the chimes of St. Ignatius' Church, a block away, were ringing while the shot had sounded. When she was turned over to Crosby for cross-examination, instead of trying to attack any detail of her story he proceeded to bring out and emphasize the exact points to which she had just testified for the prosecution.

"Sur you only heard one shot, Mrs. Ganniston?"

"Only one."

"Sure you hadn't dropped asleep and heard the nine o'clock chimes or the eleven o'clock or the twelve o'clock chimes, for instance?"

"No, indeed. I hadn't gone to bed at nine, you see. And I happened to get up, after hearing the peculiar noise, to set my clock by the chimes. But my clock was right. It was exactly ten o'clock."

"Which means, then, that you heard one shot only, and that shot at exactly ten o'clock?"

"Yes, sir."

"Excused."

The beaming look which Ballmeier radiated down from his side of the table showed that Crosby's definite fixing of the time of the shot as ten o'clock fitted in so well with his plans that he considered the defence was, in truth, simply helping the prosecution. And still beaming, he proceeded to put upon the stand Jerry Noonan, a typical ex-patrolman, elevated by virtue of long treading of sidewalks to the height of "dickship" in an outlying police station. This historical fact in his career was brought out by his own statement as he told his story to the jury. Heavy-jowled was Noonan, flat-footed and thick-necked. Whether in or out of uniform his was the bulk and build that could have been spotted ten miles away by a sophisticated burglar in a sophisticated city. His story, although a bit prattling in places, showed that he possessed a fair amount of acumen, however, and that he was far from being an ordinary flatty. In fact, his testimony, prior to Crosby's cross-examination, was calculated to remove from his hearers any lingering mystery as to why he had been made a detective. But after Crosby's examination, alas for Noonan! his identification of things and objects was destined to be badly shaken.

"Ten years I've been at the 32nd Precinct station," he told the jury at Ballmeier's request. "Knew old van Slyke when I was patrolling the beat, and knew the son. Been in the house for a hot cup of coffee many a cold night. Now about this night of January 21. Well, I was out doing patrol work in uniform, taking the place of Hennesy, who was down with the 'flu. I was standing on th' corner o' Western Avenue and Irving Park Boulevard, which is about a block and a half away from the van Slyke house, waitin' to pull my box for the ten o'clock call. It was five minutes to ten, so I had five more minutes to wait. Up to the mailbox comes old Venson, young Mr. van Slyke's servant, with a letter. Seein' we knew each other we naturally drops into conversation. We talks till ten o'clock, when I stops for a couple o' seconds to ring in, then we talks on for another full five minutes. Then I left him, going west along Hennesy's beat

and Venson going back to the house. It musta been about half-past ten when I spots the patrol wagon going pell-mell towards Oakley Avenue. Bein' only temporarily in uniform, I flags 'em and climbs in. Hears that Mr. van Slyke was murdered. So I was among the first to get on the scene."

"And what conditions did you find," asked Ballmeier, "when you got there?"

"'Twas a much different Venson I found than the one I'd been chattin' with at the mailbox when I was ringin' in my ten o'clock call. He was all up in the air. Two long scratches down his face and his collar ripped off of him. Can't talk o' nothin' but the red-headed man that had come runnin' down the inside stairway as he come in the door and give him the strong arm. He was all a-tremble and excited. 'Mr. van Slyke's been murdered,' he said, over and over; and up the stairs we went. I found young Mr. van Slyke lying on the floor of his library on the rear of the second story, face partly turned upward, an' a red bloody bullet hole in his forehead. No weapon to be found. Right away I got my notebook and took down the main details of Venson's description of the fellow who'd made a getaway. Young, red-haired, athletic build. Then I proceeded to make very close examination of the room."

"While you're there, Mr. Noonan," requested Ballmeier, "will you give to the jury a description of the house at 4020 North Oakley Avenue, the grounds about it and the general topography of the block? You've been the policeman on the beat for ten years."

"Big beautiful three-story house, grey stone front," said Noonan succinctly. "But old-fashioned as the devil. Built in the old days around the eighties, I guess. Houses on each side of it and along the whole block. A small gangway along the south side, connecting the rear yard with the front. Vacant ground at back of the whole row of houses, clear across the block to Western Avenue. Trees in the front yard, and a big elm in the rear, runnin' within a foot of the library on the second floor."

Ballmeier paused long enough to let the topographical aspects of the van Slyke residence sink into the minds of the twelve jurors, then asked :

"What was the condition of that library, Mr. Noonan?"

"It wasn't disturbed in the least. The window that looked out on that elm tree an' that vacant land at the back was partly open. The electric lights were lighted. That's all." He paused. "There was a bathroom on the same floor. In the washbowl was the bloody washrag that Venson swabbed off van Slyke's forehead with when he first found him and figured maybe he was only grazed instead o' shot. But Venson hisself can tell you about that."

"Yes," nodded Ballmeier. He continued: "By virtue of your being a regulation plain-clothes man of the district, you at once took possession for your superiors of a packet of loose letters lying in a pigeon-hole of the dead man's desk?"

"Yes, sir."

"Then you went downstairs and searched the grounds and the gangway at the side of the house?"

"Yes, as soon as I'd heard the reports from the men that had interviewed the neighbours at each side."

"What did you find in that gangway at the side of the van Slyke residence?"

"A man's stickpin."

"Before tying up those letters you found, what did you do?"

"I wrote my initials on each one."

Ballmeier then stepping over to a box placed on the clerk's desk, withdrew from it a letter and a tiny glittering object. He handed the object to Noonan.

"Will you identify this piece of jewellery?"

"It's a stickpin. It's the one I picked up in the gangway after the murder."

"I offer it as exhibit one," announced Ballmeier. He handed it to the clerk of the court, who proceeded to affix to it a numbered tag which he had in readiness.

Ballmeier then handed to Noonan a letter in an envelope. "Will you identify this object?"

"It's one o' th' letters of the loose bunch that I took from van Slyke's desk. It's got my initials on it."

"I will first read this letter," announced Ballmeier, "and I then offer it as exhibit two." He cleared his throat, and thrusting his little bullet head close to the paper, proceeded to give the jury the contents to the last word:

*January 18, 1928*

VAN SLYKE :

Dogs like you come to but one fate, and juries usually clear the man that rids the world of such as you. Now I'm going to give you just about two or three more days to change your decision, and then by God, Van, I'm going to kill you just like a dog, like a yellow dog.

CHALMERS.

Finishing the brief but pungent message, Ballmeier handed it over to the clerk and it was marked as exhibit two. Turning to Noonan, he excused that august gentleman, and Crosby, heaving a sigh, took up the cross-examination.

"Mr. Noonan, was there anything of value in that room for which a common yeggman might have made an attempt to burglarize it, coming in from the window by way of the elm, and shooting down van Slyke? I take it your years in the force have made you an experienced hand in burglary cases."

Mr. Noonan appeared a bit suspicious of the complimentary reference to his police experience.

"Well," he said with a shrug of his shoulders, "the wooden chest—or cabinet—or what-you-may-call-it near the fireplace, I suppose."

"Oh, so there was a wooden repository there? Will you describe it?"

Noonan looked bored. "Sort of vertical chest, made o' thick black wood, about five feet high and maybe three feet or so square. Had Chinese dragons carved and inlaid on it. Had three ivory sticks what pulled in an' out o' slots in the thick wall next the door of the—the—chest. These here sticks each had a hole in the end that stuck out, like for a finger to catch in, and they were like rulers, havin' marks along 'em except that there was Chinese characters at each mark instead of numbers."

"And what were these peculiar ivory drawsticks that pulled out or pushed in, and moreover were graduated with marks?" Crosby asked.

"I found afterward," said Noonan, with a shrug of his shoulders, "that they're the way one gets into the vertical chest. You pull each stick out to a certain mark, or Chinese



character, only, an' if each one is on the right mark at the same moment, the door falls open."

"So this massive Chinese wooden box, this vertical chest as you call it, made of heavy, tough, thick wood, hand-carved and inlaid and very beautiful, was then, Mr. Noonan, a safe—and moreover a precursor of our present-day safe, since it had a combination lock operated by ivory drawsticks instead of nickel-plated dials?" Catching Mr. Noonan's reluctant assent, Crosby turned to the jury. "The article somewhat carelessly described by Mr. Noonan as a chest is to-day in the possession of, and in use by, Mr. Leslie van Slyke of Chicago, Rupert van Slyke's cousin and legal heir. It was made in Canton about the seventeenth century, according to the dead man's statement to his cousin, whom Mr. Ballmeier may subpoena if he wishes. Yet, as this witness has just proven, this mere ornament, this antique, was a thing of practical utility—a safe—having its combination mechanism just as much as any modern safe with combination dial. This is a fact which deserves much consideration." He turned to Noonan again.

"I am now going to ask you a series of questions which can be answered simply by 'yes' or 'no' on your part, Mr. Noonan." Crosby paused. "First, do you know a reporter on the Chicago *Daily Tribune* by the name of Charley Canfield?"

Noonan nodded. "Yes."

"Did you, or did you not, on the night of the murder, while you were examining the grounds, receive a phone message at the house from your Precinct station telling you to report back to your station at once?"

"I did."

"When you got there, did you receive the transcript of a phone message from your wife saying that your youngest child had been scalded, and a permission from your chief to go off duty for the rest of the night?"

"Yes."

"Did you at once hastily remove your uniform, get into your civilian clothes, call a taxicab and start out for your home on North Rockwell Street?"

"I did."

"Were you accompanied in the taxicab by this Charley Canfield of the *Chicago Tribune*, who happened to be in the

station house and who took this measure for getting some sort of an inside story of the murder from the man who had known the van Slykes, father and son, and who had already examined the house and grounds?"

"Yes." And Noonan added, a bit dubiously: "He rode all the way home with me."

"After you had ascertained that your child was not nearly so badly hurt as your wife had reported, did you then repair to the front hallway of your home where Charley Canfield was sitting, to discuss it further with him?"

Noonan nodded, his face a bit glum.

"Did you then raise the receiver of your phone and ring the 32nd Precinct station from which you had just departed?"

Again Noonan's assent, more uncheerful than ever.

Crosby picked up from his portfolio a piece of paper, which he studied. He looked up. "I shall now read off to you an alleged telephone conversation complete, and I shall ask you whether you did or did not talk these words, or words to their general effect, into the transmitter of your phone, and if not, just what were the words which you did repeat." And amid a very pronounced silence in the court-room, he read off slowly and distinctly:

"'Hello, Captain in? No? Sergeant there? Out? Who's on the wire? Oh, Jake Kilduff. You're working out from the Chicago detective bureau, ain't you, Mr. Kilduff? Well, you'll do. This is Jerry Noonan of the 32nd. Mr. Kilduff, while I was examining the gangway next to that van Slyke residence to-night with lighted matches, I spotted a stickpin some yards ahead of me just about the time my last match went out. I picked it up and put it in my pocket—yes, the coat pocket of my uniform. Yes. After I came out to the front yard, I was called back to my station, and from there rushed home on account of an accident in my family. Now that stickpin might or might not have anything to do with that murder, but I want to turn it over before I get a calldown. Yes, the right-hand pocket. Yes, I know there's two pins there. No, I can't describe which pin it is, Mr. Kilduff, because as I told you my match went out just as I caught the flicker of it and I picked it up in the darkness. But I'll tell you the one it ain't. It ain't the pearl one. That's one I bought for a dollar to-night from

a prisoner. That's my own. Yes, the other one of the two. All right. Don't get me in bad. I'm sorta upset.'"

Crosby stopped and looked up. He laid the paper back in his portfolio. There was a painful silence.

At length Noonan found his voice. "Well," he said sullenly, "them's the words—or about the same words I said."

"Then how, Mr. Noonan," asked Crosby, "are you able to identify a stickpin given you by the prosecutor, when by your own words you couldn't describe it to the headquarter's man who took it from your uniform coat pocket?"

Noonan was nettled, even angry. He attempted to wave off his *faux pas* by an airy, faery-like gesture of his hamlike hand. "Oh well," he blustered, "I was told that this was the pin that was taken by Jake Kilduff from my coat pocket. Grantin' that it is, then it's the one I found in the gangway, ain't it? That's all clear, ain't it? I'm not perjuring."

"No, I don't think you are," agreed Crosby, "but I think you're a bit hasty and over-enthusiastic in your methods. The facts of the matter then, Mr. Noonan, are that you can't definitely identify this *very* pin that was just handed you as the *very* pin you picked up, except that you merely understand by hearsay that they are the same? Is it not so?"

"Well," began Noonan angrily, "it——"

"Yes or no?"

"I tell you——"

"Yes or no?"

"No."

Crosby's eyes held a triumphant gleam. The next step in the combating of this stickpin identification would come when Krenway, chief of the Chicago Detective Bureau, was put on the stand. So for the present, enough. He turned his attention once more on Noonan.

"One more question, Mr. Noonan. Although you initialed each of those envelopes you found in Mr. van Slyke's desk, you didn't initial the letter it contained?"

"No."

"Then as a further matter of fact, all you can identify is the envelope just handed you and not the letter inside at all?"

"Well, I——"

"Yes or no?" Crosby snapped.

"Objection," shouted Ballmeier, furious.

"Objection not sustained," said Judge Lockhart, leaning forward.

And Noonan, with one reluctant monosyllable, was forced to admit that only the envelope of the alleged threat-letter could be identified, and when he started clumsily to explain that the envelopes never left his superior's safe at the station, thus to demonstrate perhaps that the contents could not have been changed in any plot against the young clubman defendant, Crosby neatly excused him from the stand before he was one-third through with his tangled explanation.

A short pause followed Jerry Noonan's sheepish descent from the witness-stand, a pause which was filled with a low buzz of comment in the court-room. Then Ballmeier called to the stand his fifth witness, who proved to be Edward Venson, Rupert van Slyke's man. The latter was the typical man-servant of around fifty years of age, his hair grey and shaggy, his skin wrinkled, his nose a trifle hooked. He ascended the stand apologetically, and settled down meekly in the witness chair.

"What is your name?"

"Edward Venson, sir."

"What is your occupation?"

"I was for three years a houseman and general servant to young Mr. van Slyke. Since he was murdered, I have been employed as a butler in a home in Hyde Park."

"Will you tell the jury in your own words what happened on Friday night, January 21?"

The elderly servant turned to the jury. "Mr. van Slyke was supposed to take a part in a comic play given on the North Shore that night—he was to be a pirate or something—Captain Kidd, I believe—and I saw him last when he was downstairs in the hall around seven-thirty calling up somebody on the telephone. I heard him say to someone that in view of the difference of opinion about something or other, he'd just check out of the play—those were his words—and let his understudy take his part. Then he hung up the receiver with a bang and went back upstairs to his library. I worked around in the basement, and just before ten o'clock went out to the mail-box to post a letter. There I met Noonan, the old officer on the beat, and talked with him up

until the time he rang his box and for about five minutes after. Then I walked slowly back to the house. As I came in the front door of the first floor, a man with flaming red-hair came leaping down the stairway from the second floor, and thinking I'd merely surprised a sneak-thief I grappled with him. He lunged and scratched at me as I caught him, and give me a shove that set me on my back, and before I was up he dashed out through the front door and I heard his footsteps echoing back in the gangway at the side of the house. So I went on up to the library to tell Mr. van Slyke. And there he was, dead on the floor, blood coming out of his forehead."

"What did you do," asked Ballmeier, "as soon as you saw the tragedy?"

"I had a hope, somehow, that maybe he was only grazed with some sharp weapon; so I hurried into the bathroom on the same floor, wet a washrag in the running water from the warm-water faucet, and coming back, knelt down and swabbed the blood off his forehead the best I could considering how shaken I was and how my hand trembled. Then I knew he was done for, because there was a blue hole there you could almost stick your little finger in. I hurried back to the bathroom, tossed the washrag back in the bowl, rinsed my hands and went downstairs and called the police. They came."

"Will you kindly look about you in the court-room and tell the jury whether you see the man with whom you grappled in the lower hallway?"

Venson turned around in his witness-box. He pointed reluctantly toward the young clubman, sitting tense at the table, chin in hand.

"That is the man I grappled with. I saw his red-hair when he was at the top of the stairs racing down, then his face as we grappled together."

"Your description was given to the police when they arrived, and your identification was completed at detective headquarters at eleven o'clock next morning?" Ballmeier prompted.

"Yes, sir."

"How was he dressed so near as you remember?"

"Well, his clothing was dark. Sort of a blue serge, I'd

venture. White collar and shirt. Grey overcoat that came to his knees, unbuttoned all the way down. Dark coloured fore-in-hand tie with a stickpin in it. That's all I remember."

"Now about the stickpin——" began Ballmeier, but suddenly, as though fearing after Noonan's performance on the witness-stand that he might lay a further inartistic flaw in the arch which he was successfully building up, he cut off his words. He gazed into air for a long moment, his little corrugated brow still further wrinkled, and then, somewhat unexpectedly, turned to the polished table with the words, "Witness is turned over to the defence."

Crosby took his position in front of the servant. His line of questioning was now less belligerent than at any time and more indicative that he himself was trying to focus some sort of light upon a situation which even to himself was a complete enigma.

"Mr. Venson, when you and Noonan were talking at the street corner which carried both the mail-box and the police-box, did you hear the shot?"

"I know now that what I thought at the time was an auto tyre exploding in the neighbourhood, while Noonan was talking in the transmitter of the police-box, must have been that single shot from over on Oakley Avenue. But you'll remember, sir, that this corner is the junction of two car-lines, Western Avenue and Irving Park Boulevard, and there is more or less noise all the time."

"How long do you calculate it was after the shot that you came in at the front door? In other words, how long was the total of the time talked to Noonan and walked back to the house?"

"Well," ventured the old man, "Noonan and I talked for five minutes at least, and it took me another full five minutes to walk back. I'd say I got in the house about ten minutes after the murder."

"Then it appears that the red-haired man with whom you grappled had remained for some purpose after he killed van Slyke?"

"So the police say," ventured Venson politely.

"You were the first to see the room. Just what was its condition as you found it?"

"The same, sir, as Jerry Noonan described. I touched

nothing, I made no changes. As Mr. Noonan says, the window was up, but it always was up anyway in that library."

"The police theory is that Mr. Chalmers entered the block by coming under the bill-boards at Western Avenue, crossing the prairie, climbing the elm tree at the back of the house, entering the open window and either shooting van Slyke from outside or after he got in. That he then remained for ten minutes, and then, coming downstairs the front way was confronted with you entering the door. That he made a desperate attempt to get away, and running down the front steps circled around the gangway, crossed back across the prairies and out into Western Avenue again. Is this your theory?"

"I object," said Ballmeier irritably. "The witness's own personal theories do not matter."

"They may matter," retorted Crosby, looking up at the judge. "This man"—he inclined his head in Ballmeier's direction—"objects to every attempt on the part of the defence to work out its case."

"Well," said Judge Lockhart, looking down through his gold-rimmed pince-nez from one to the other of the two attorneys, "I guess the witness may answer."

"I have no theory," declared Venson. "All I know is, whatever the path of Mr. van Slyke's murderer, he tried to use me for a gangplank to leave the house on."

Crosby smiled in spite of himself. A titter ran around the court-room, but on Venson's face only the rueful, injured look was to be found. The bailiff rapped for order.

"About that library window," Crosby asked suddenly. "Is it customary to leave it unlocked? How does it happen that on the night of January 21, a crisp winter's evening, it would be even partly open so that a man could shin up that tree outside the window and shoot Mr. van Slyke on the inside?"

Venson's answer explained this point. "For the reason, sir, that that library had a radiator intended for a room twice as big. I have never seen the time that the room was not overheated."

"I see." Crosby paused, thinking. "Ever see Mr. Chalmers in your life before you were confronted with him at the detective bureau?"

"Never."

"Ever heard your former master speak of him, either favourably or unfavourably?"

"Neither, sir. I did not know Mr. Chalmers existed."

"I see. You notified the police at once as soon as you saw your master was murdered?"

"Yes, sir."

"You discovered the body at—say—ten minutes past ten. The police blotter says the call came in at twenty-five minutes to eleven. Just how was your time divided up between those minutes?"

Venson was plainly angry. "I didn't keep any books of my time, sir. I must have lost several minutes grappling with the murderer in the hall. I must have spent some time picking myself up and brushing myself off. It took me five minutes to take in that horrible scene upstairs. Then my hands trembled so, I couldn't hardly hold the telephone-book when I went to look up the police number. It's a wonder I got the police as quick as I did."

"Did it occur to you to call Main 13—the standard emergency police call as printed on the mouth-piece of the transmitter?" asked the defence curiously. "Those calls are rushed through in lightning order."

Ballmeier was on his feet, his face an apoplectic red. "I object," he shouted. "This fledgeling that calls itself attorney for the defence is badgering and hectoring the witness merely to make a show for the public."

"Don't get excited, Mr. Ballmeier," retorted Crosby, a wave of heat rising to his own face. "The only trial that can make you happy is one where the defence sits in the corner. You ought to be——"

"No personalities, gentlemen," interrupted Lockhart, a reproving look coming over his stern face. "The witness may answer."

"I withdraw the question and excuse the witness," said Crosby. He plumped down into his chair. He made a few notes on his paper. Ballmeier, jerking his own head triumphantly, scrawled a few notes on his own side of the table. A buzz flitted over the court-room. Pleased glances were thrown from face to face of the curiosity-mongers.



But at this point, the hands of the big clock across the room pointing to four o'clock, Lockhart with a curt nod to the bailiff as a signal for dismissal of court, rose from his bench and in his black gown went into his chambers.

## CHAPTER VIII

### BALLMEIER INSERTS HIS KEYSTONE

THE opening of the second day of the Chalmers trial saw the court-room more crowded than the previous day, were this at all possible. And that the audience was there to see every move in this intellectual chess-game and hear every line of the drama spoken was proven by the fortitude with which they endured the State's necessary infliction upon the court, Coroner Brum of Cook County. Coroner Brum wore thick-lensed glasses, his jet-black hair fell in all directions on his head, he gesticulated with his hands and droned through his nose. When he ascended the stand, it had been pretty well determined by the course of the trial and the previous testimony that :

1. A badly misshapen lead bullet that by its weight indicated it had been the projectile-end of a .32 calibre cartridge, had been fired from a revolver.
2. It had entered the brain of Rupert van Slyke.
3. Rupert van Slyke was dead.

When Brum went down off the stand it was indisputably proven beyond all argument and cavil, for all time to come, that :

1. A badly misshapen lead bullet that by its weight indicated it had been the projectile-end of a .32 calibre cartridge, had been fired from a revolver.
2. It had entered the brain of Rupert van Slyke.
3. Rupert van Slyke was dead.

And with the descent of Brum, every one promptly woke up and prepared to see the trial, delayed by this compendium of ballistics and student of corpses, proceed unhampered.

Thus it stood when Ballmeier put upon the stand Billy Matthews, clerk for seven years at the Sportsmen's Club.

The latter was the epitome of sartorial correctness, the personification of geniality, a walking example of spruceness. Ballmeier held up exhibit one, and handed it to the witness.

"Have you ever seen this stickpin before?"

The pink-faced Beau Brummel nodded, rather regretfully.

"Will you state where?"

"I formerly owned it."

"Did it pass from your possession? If so, how?"

Billy Matthews shifted in his seat. His baby-face grew serious. "I sold it to Mr. Chalmers for 20 dollars about a year ago. I heard him say he'd have to replenish his jewellery a bit. I had bought the pin in Pittsburg. I was shy on money. He liked it. He bought it. That's all."

"You realize, do you not, that this same pin which you are identifying is the pin which was dropped by the murderer in his flight?"

"Object!" snapped Crosby. "It is not yet proven that the murderer dropped it, or that it was even dropped in any one's flight."

"Objection sustained to the wording used by the prosecution," said Judge Lockhart with no hesitation. "Strike it out." And the court stenographer for a few seconds was busy drawing lines through her pothooks.

"I think," said Ballmeier, nonplussed by his legal rebuff, "that that will be about all. Excused."

Crosby asked but one question. "You say you never saw but one pin like that before?" he said, staring at the witness. "Where was that?"

"In Pittsburg," was the witness's reply, "but the other was like this one only in the general shape of the stone, and the colour of the gold. They were identical."

"Excused," said Crosby abruptly.

There was a craning of necks as the clerk called the name of George Krenway, who as chief of the Chicago detective bureau had figured in the public prints too many times to be unknown to the public. Thin-lipped, sour-faced, his black hair flecked with grey, he ascended the stand. A number of rapid questions concerning the condition of van Slyke's library, and his body, were put in succession to him by Ballmeier, and it could be seen by the veriest tyro in legal matters

that Krenway's testimony was distinctly coloured in favour of the State. His answer to Ballmeier's last question showed as well as any his desire to remove from his dockets one more murder case.

"Just what was the suspect's attitude the night he was brought down to your office for questioning?" was the query.

"He was surly and impudent," was Krenway's prompt reply, glancing down unembarrassedly toward the red-haired defendant who sat with chin in hand at the long table. "When I asked him whether he killed van Slyke, he openly defied the department to get anything on him."

"Excused," said Ballmeier, stooping down among his papers.

Crosby's examination of Krenway was soon to rouse all the ire in that gentleman's being. The younger man began easily, however.

"Do you know Tommie Heyworth, a night reporter on the morning *Herald-Examiner*?"

"Ought to know him," said Krenway brusquely. "He's been in the offices enough times. What about him?"

"I am doing the questioning, not you, Mr. Krenway."

Crosby thrust his hands in his pockets. "Was Heyworth a witness to the examination that night of Mr. Chalmers?"

"Don't know—well, suppose he was—it's the last examination he'll witness if he's going around discussing the department's affairs," was Krenway's angry retort.

Crosby smiled. It was plain that Krenway got mad easily. "Mr. Heyworth has quit the newspaper profession and is now selling bonds," he informed the detective head. "Did not Mr. Chalmers, in reply to your question as to whether he had shot van Slyke, tell you definitely and conclusively no?"

"Well, he——"

"Yes or no?"

"He tried to——"

"Yes or no, Mr. Krenway?"

"Yes," shouted Krenway.

"So this was impudence, eh? Did he not show genuine surprise when he learned that van Slyke was dead?"

Krenway's eyes roved savagely about the court-room as

though he would like to have fastened them upon the traitorous Tommie Heyworth, who in fleeing from the newspaper game had betrayed the detective bureau.

"Oh yes, Chalmers was surprised," he said, taking no care to conceal the sarcasm in his voice.

Crosby's lips tightened. This official was out to help smash the defence as much as he could, that was plain.

"Know a detective called Jake Kilduff, Mr. Krenway?"

"Ought to know him. He worked under me in the department."

"Did you send Kilduff out to the 32nd Precinct station the night of the murder?"

"Sure did." Krenway might as well have said, for the inflection in his voice, "what are you going to do about it?"

"Didn't you then despatch him by telephone from there to Mr. Chalmers' flat to search for evidence? Didn't you tell him to get something on Chalmers?"

"Nonsense," snorted Krenway. "I told him to get some evidence if there was any to get."

"Did he then appear back at your office toward dawn with a stickpin which he said was picked up in the gangway at the van Slyke house by Noonan, a policeman at the 32nd Precinct station?"

"He did."

"Jake Kilduff could have, if he had so wished, substituted the pin Noonan picked up for one he had abstracted from Mr. Chalmers' chiffonier-drawer, to make a case against Chalmers? Is this not a fact?"

"How could he?" sneered Krenway. "How about Noonan?" This triumphantly.

"Sorry you didn't read the papers last night," said Crosby with a smile. "Mr. Noonan yesterday admitted on the witness-stand that he himself couldn't identify the stickpin."

Krenway's face fell. Ballmeier was chewing on his lips.

"One more question, Mr. Krenway, and then I'll let you go. Wasn't this Jake Kilduff under indictment for some sort of bribery at the time he worked for you?"

Krenway swallowed hard. "Yes."

"Is it your custom to keep detectives working for you that are crooked?"

"What's it to you," snarled Krenway, beside himself with irritation and rage, "what my department does?"

"It's a lot to me," said Crosby, "considering that your department is trying to help send my client to the gallows. Excused, Mr. Krenway."

And the burst of handclapping that followed, unchecked by the stiff staccato rattle of the bailiff's gavel, showed where the public's sympathy lay in that tilt, and marked the descent of Krenway, his face an apoplectic red.

Crosby, watching from the corner of his eye, felt as by a sixth sense that now was come the pivotal point of the battle, the point that would clear or convict Chalmers, the keystone which would either sustain against all efforts of demolishment the arch of circumstantial evidence thus far built up, or crumple up and release the entire structure. He was dimly conscious, as he leaned forward watching, of Chalmers turning toward him as though to speak, and then quickly closing his lips again. But to his client he paid little attention at this point, proceeding instead to focus his attention entirely on the witness who was laboriously ascending the stand.

The individual climbing up into the witness-chair was a dignified man of about fifty-five, with iron-grey hair that partly covered his temples; keen, straight-looking eyes which, gazing through business-like eyeglasses, seemed to belie the possibility of an untruth; square hard jaw, and conservative business man's suit. His progress to the witness-chair was made with some difficulty, for he walked with a dragging movement of the legs as though they were made of heavy lead-weights, helping himself along by two stout canes provided with rubber ferrules.

"What is your name?" was Ballmeier's preliminary question.

"John Carrington," said the man in the chair, in a firm clear voice. "Manufacturer of paper-making machinery. Residence, 4068 Parkside Avenue."

"How long have you known the defendant in this trial?" was Ballmeier's second query.

"I have known him since he was a baby and was taken back and forth between London and Chicago by a nurse. I knew his father, Daniel Chalmers, since he came to America

after separating from his wife in England. I was associated in business with the elder Chalmers during the time Archibald was a little boy."

"With what frequency have you seen him during his life?" was the next question.

"At intervals of a few months or a few weeks when he was in America, punctuated by six-month gaps when he was in England."

Ballmeier bobbed his head several times. "Will you tell the jury what happened on the night of January 21, when Rupert van Slyke was murdered?"

The manufacturer turned in his chair. "On that night," he stated clearly, "I went over to my sister, who lives on Belleplaine Avenue, 2390 if you wish me to be exact. I remained there until about twenty minutes to ten. I then left, and went from there along Western Avenue to reach Irving Park Boulevard in order to get a street-car that would take me back home. But before reaching Irving Park I——"

"You were now in the middle of the block," prompted Ballmeier, "where the line of bill-boards runs along the sidewalk?"

John Carrington nodded. "Yes. In the middle of that block I came face to face with Archibald Chalmers. He seemed to be a little confused at meeting me."

"You spoke to him?"

"I said: 'Hello, Archie, pretty late for boys to be out, isn't it?' I glanced at my watch. Its hands showed that the time lacked seven minutes of being ten o'clock. And I added: 'I ought to be home myself at this hour.'"

The prosecutor handed up a little book upon the stand.

"This booklet which I now offer as exhibit number three," he stated, "I now present to the witness with a request that he tell what it is and what incident it figured in."

John Carrington took the book from Ballmeier's hands. He turned over the pages cursorily. "This," he declared quietly, "is a booklet of printed forms with which I have been taking subscriptions from those of my friends who are plentifully supplied with the world's goods. These subscriptions are to go to the Russian Red Cross, now taking care of the children homeless in that land on account of the former disastrous Bolshevik regime. Each page I fill in

myself for the amount the party is willing to subscribe, and I ask him to sign at the bottom. As to what happened, involving this booklet. Well, I took it from my coat pocket and opening it out said: 'Archie, I guess I've met you just in time. How much can I put you down for to help the Russian orphans?'

"And the defendant answered?"

"Object!" said Crosby promptly. "You have not yet proven that it was the defendant."

A long argument between lawyers followed and it wound up by the judge sustaining Crosby's objection.

"What did the party whom you addressed, then, as Chalmers, answer?"

"'Make it 25 dollars,' he said, rather gruffly," was Carrington's recountal.

"And then?"

"I filled in the figures and his name under the arc-light, and gave him the book and my fountain pen. I said: 'Sign on the bottom line, Archie.'"

"He signed that line in front of you?" said Ballmeier.

John Carrington nodded. "Yes."

"What time would this have been?"

"We consumed perhaps three minutes in these preliminaries. It must have been, therefore, approximately four minutes to ten."

"What did the man whom you addressed as Chalmers then say?"

"He said: 'Well, good-bye, I must be getting along. I'll drop in to see you one of these days.'"

"Was that the last you saw of him?"

"Yes," said Carrington. "On account of my canes I'm not able to look back."

Ballmeier patted his close-cropped hair. "That," he announced, with a sardonic grin towards Crosby, "is all the prosecution has to ask the witness. He is turned over to the tender mercies of the defence." He bowed to his opponent.

Crosby, rising from his chair, knew that at last the hour had struck when he was facing the State's star witness. Assuredly, about this man Carrington there was no suggestion of the perjurer; every line of the stern, righteous face tended to contra-indicate that belief. Crosby's opening



questions were along a tack quite other than what could be termed by Ballmeier "badgering and hectoring the witness."

"Mr. Carrington, did the man you met along that row of bill-boards address you at any time as 'Mr. Carrington'?"

Carrington paused a long while. "No, sir, he did not. He talked with me, but he did not mention my name."

Crosby smiled a faint smile. A point and a big point, he knew, had been scored by the defence in that reply, but Ballmeier showed no evidence of being disconcerted.

"How do you know that you were not talking to a double, Mr. Carrington? You'll recall that you said 'Hello, Archie,' but that he at no time used your name?"

"No," said Carrington stubbornly. "It was no double. The meeting took place under that arc-light and I have known Archie Chalmers for too many years to make any such mistake. It was Dan Chalmers' son whom I met with and talked with that night."

Crosby thrust his hands deep in his pockets. He knew now that he was facing the keystone of Ballmeier's arch, and now, if ever, the keystone must go down.

The examination that he hurled at Carrington, question after question, lightning-like in rapidity, was one of the swiftest that he had ever made in his life. In many instances Carrington was unable to finish his reply before a new question was propounded to him. Through it all every ear in the audience was turned so as not to lose a single word. Yet through it all the replies never failed to tally, through it all the man Carrington sat like a stone statue, unshaken in his belief, unperturbed at the volley of questions, a human rock of Gibraltar, secure in his own confidence.

It was then that Crosby decided to change his tactics entirely, and to propound three last questions before excusing the witness.

"Mr. Carrington, were you the man Archibald Chalmers' father had some trouble with back in 1892 when they were in business together?"

"Yes," said Carrington, in spite of Ballmeier's vociferous but over-ruled objections. "Dan Chalmers did me out of a cool 100,000 dollars due to the way a contract was worded, and I filed a counter-suit against him. We never spoke from that time until he died."

"So, in spite of the fact," persisted Crosby with brutal directness, "that whatever he did was done legally and contractually, and in spite of the fact that his interpretation of the contract had just as much standing as yours, you personally had it in for old man Chalmers?"

"Had no use whatever for him after that," said Carrington with startlingly naïve frankness, but with a stubborn, unyielding note in his voice. "But for Archie I had always the friendliest of feelings. I don't carry my personal animosities from father to son."

Crosby smiled ruefully. He knew that this old difference of interpretation that had flared into a bitter business battle was the first faint point in this human pillar of damning facts that he had yet scored. But it was faint indeed.

"Mr. Carrington, how do you know it was January 21 that all this happened?"

"Because I read in the papers next morning that Archibald Chalmers had been arrested."

"What was your motive in trotting to the State's attorney with your booklet?" Crosby shouted fiercely at the witness.

"Because certain statements were made in the morning papers about Archibald claiming to have been in his rooms that night. I knew this to be a lie, and while another man might have seen fit to sit back and let the boy wriggle out of his own affair, I wouldn't. Perjury and lies, even though they emanate from my own brother, I cannot and will not stand by and permit. That is why I went to the State's attorney, told my story, and gave over the book with the signature in it."

Crosby was frankly puzzled whether to excuse the witness and stand on his own case, or to make another furious effort to break down Carrington's story. It was an hour before the midday adjournment of court. He decided to try once more. So back he returned to the fray. To and fro he argued, cajoled, threatened, and enticed, and each and every time John Carrington's story remained unchanged, unbroken, unaltered in its very simplicity. And when at last Crosby excused the witness and court was adjourned for lunch, he knew that the jury felt that it had met with one witness who, even though biased perhaps on an old business difference,

told the truth—and who knew the truth. And he knew also from the smile on Ballmeier's face, as the latter gathered up his papers, that that afternoon was to see the end of the prosecution by the production of handwriting experts.

His conjectures were right. With the assembling of court at two-thirty, the first witness to ascend the stand was one Howard Norwalk, a keen-looking man of about thirty-five with blue eyes which stared curiously out over the courtroom. His complete reply to Ballmeier's opening question established his professional status to the jurymen. He was the A-to-J paying teller of the State Bank of Chicago.

"Will you tell the jury," asked Ballmeier, "what was the occasion of your viewing this booklet which Mr. Carington states was signed in his presence at a few minutes before ten the night of the murder, and your findings in this case?"

"You brought it to me," said Norwalk promptly, "with a request that I compare the signature with the one used by Archibald Chalmers in his checking account at the State Bank of Chicago."

"Did you do so?"

"I did."

"What were your findings?"

"The signature is identical with that on the bank's books."

"If you were presented with a cheque bearing the signature as found on the subscription book, and you knew that the cheque was handed in by a man who was known to be a crook, would you pay out money on the signature?"

"I would," returned Norwalk.

"Excused," said Ballmeier. And it was hardly likely that the surprised look on his face escaped the jury when Crosby excused the bank cashier without a single question.

"Why—oh why," he murmured to himself, "must the prosecution hire the very same handwriting expert that the defence hired? Talk about the unexpected! And I might have asked Norwalk whether he ever paid out money on a forgery in his life, and nine chances out of ten have gotten him on that one question. But my own witness—was ever a lawyer so neatly tied hand and foot?"

Ballmeier was following up to get to the last degree his chain of evidence which touched upon the signature. He did so by calling to the stand a second man, this one little and old, clad in a rusty black cloth suit with old-fashioned cloth buttons, white shirt, old-fashioned batwing collar and black string tie.

"What is your name?"

"Alonzo G. Queed," said the man quietly.

"What is your occupation?"

"I am a specialist in handwriting and occupy a chair in that study in the College of Law, North-western University."

"How long have you been an expert witness in Chicago on handwriting?"

"For some twenty years."

"Will you examine this booklet purporting to be a subscription booklet for Russian orphans and state to the jury where you saw it before and what your findings were in respect to it?"

"You brought it to me," said Alonzo G. Queed. "You asked me to give an expert opinion with respect to it, to a threatening letter allegedly written by Archibald Chalmers and to Archibald Chalmers' signature in the Fort Dearborn Bank. The bank allowed me to compare their signature with the one on the threatening letter and the one on the subscription book. I spent one full afternoon upon the work."

"And your findings?" asked Ballmeier.

"The signature to the threatening letter is indisputably a signature made in an angry mood, and these are known to be very tricky. I am not disposed to give definite opinion with regard to it. But signatures dashed off in haste are highly reliable. The signature signed on Mr. Carrington's subscription booklet on the night of the murder on Western Avenue, and the signature on which the Fort Dearborn Bank has been paying cheques drawn to Mr. Chalmers' account, are identical."

"Then, in your estimation, Archibald Chalmers signed that subscription booklet at a few minutes before ten the night of the murder, in spite of any statements his counsel may make to the effect that Chalmers was at home at the time of the shooting?"

"Object," said Crosby promptly. "Witness is testifying only to signatures."

The objection was sustained. Whereupon old man Queed, surveying the jury through his owlish spectacles, uttered a peculiar statement.

"On account of having been employed by both sides in this case, I confess that I am highly puzzled. But if the defence excuses me for the present as the prosecutor's witness, I will give further opinions regarding the signatures when I am called back to the stand as witness for the defence."

"Excused so far as this side is concerned," was Crosby's curt answer.

Ballmeier gathered together his papers and faced the judge.

"The prosecution closes its case," he announced simply. Then he turned and surveyed his opponent curiously, disdainfully.

Judge Lockhart cast his eyes in the direction of the big clock in the court-room, whose hands pointed to a quarter to four. Then, in his black gown, he stood up.

"On account of the annual meeting to-morrow of the Association of Sitting Judges of Cook County, there will be no court on the Saturday half-holiday. Court will reconvene Monday morning, to hear the defence in the trial of the State vs. Chalmers." And he swept into his chambers, while the clerk droned off the usual magic formula that dismissed court.

Crosby, his portfolio in his hand, made his way slowly back to his office in the Otis Building.

There he sat for a full hour, thinking, his feet propped up on his desk, his portfolio lying unopened before him. Suddenly his telephone bell rang. He swung forward in his swivel chair, and raised the receiver.

"Hello."

"Mr. Crosby's offices?"

"The same. Crosby speaking."

"This is Assistant Warden Rock of the county jail talking. Mr. Chalmers asks that you come to the jail at once, bringing with you a handbag packed for travelling. He says it is very important that he see you immediately. Will I be able to tell him you'll come?"

Crosby glanced out of the corner of his eye at the tiny leather grip which he always kept in his office, packed, in case of emergency, with a few travelling essentials.

"I'll come at once," he said.

## CHAPTER IX

### A VISIT TO MARCHBANK AND MARCHBANK

**I**T was five-thirty when Crosby, his little valise in his hand, reached the county jail across the river from the big roaring loop. Darkness had fallen on the city, and every barred window of the big six-story structure twinkled in the gloom like a yellow star.

Inside he nodded pleasantly to the turnkey, was whisked to the fourth floor and there, again followed by a uniformed jail guard who knew him well, he proceeded along the corridor until he came to Cell 468. Chalmers, his coat removed, was pacing up and down the cell in his silk shirt.

"I'm glad you came, Crosby," was Chalmers' greeting. "Something's come up in the last hour, and I was forced to phone you finally. But first I want to ask you about our case. How do you consider it's going?"

"I can't say as definitely as I'd like to," was Crosby's cautious assurance. "I think we're holding our own, and then some. I think we undermined a number of Ballmeier's witnesses and much depends now upon how much or how little he can do to our side. This man Carrington and that handwriting testimony combined are a most stubborn nut for me to crack."

Chalmers took from his hip pocket a yellow telegram which he opened out. "Crosby, some blooming bonehead substitute in that telegraph office near my Drexel Boulevard flat got a telegram addressed to me three days ago, and not locating anyone there filed it away until the regular man came back. Of course the other man had his instructions, just as the post office has, to shoot all communications to me over at my county hotel here, the Jail! At any rate, it was brought down here to-night by a boy, and it's just exactly three days

late. First thing I did was to have the assistant warden call Melford, and lo and behold, on account of the courts being closed to-morrow, Melford has gone out of town for the week-end." He tossed over the telegram to Crosby. "Well, read it yourself."

Crosby held up the telegram so that the light coming from the overhanging bulb fell upon it. It was from Omaha, and its contents read :

Archibald Chalmers, 4240 Drexel Blvd., Chgo.—Your uncle Peter Chalmers died at eight o'clock last night at Dr. Golden's sanatorium at Plattsmouth, Nebraska. His will and its codicil regarding yourself is to be read in presence of the legatees Saturday morning at nine o'clock, our offices, City National Bank Building. Shall you send representative ?

MARCHBANK AND MARCHBANK.

Crosby looked up from the telegram. "So your uncle's dead, Chalmers ? You weren't far from right after all, were you ?"

Chalmers shook his head gloomily. "No—I knew the old gentleman wasn't long for this earth when I stated conditions to you last January. I have been given to understand that I have been named in the will as the main heir. Now that being so, what's the idea of this codicil ? That's what I'd like to know."

Crosby shook his head. "I haven't the least idea. You knew your uncle better than I do."

"Well, here's the situation. What had you on for to-morrow, Crosby ?"

"Nothing. The courts are closed. I had intended spending most of the time reading up further on toxicology and a new book on psychiatry that's just out. As for your case, I've done all that can be done."

Chalmers nodded. "I'm sure you have. Now I want to hire you to make this trip to Omaha for me, so long as I can't go myself and Melford can't be located. Whatever the fee is, just give me a bill for it when you get back and I'll gladly pay it. I want the first-hand information in regard to uncle's will and I want someone there to-morrow morning when it's read. You can get that eight o'clock train on the



North-western that'll put you in Omaha at eight in the morning, and let you sleep all night. Will you do this to help me out, Crosby? Remember, you're tangled up in my financial affairs as well as I."

"I well know it," agreed the other. He thought for a second or two. "All right, I'll make the trip, and I won't charge you much more than expenses, seeing, as you say, that I'm mixed up in your finances." He glanced at his watch. "Now I'll dictate a paper downstairs in the jail office and send it up here to you. This paper will make me your attorney in the Omaha matter and your representative for to-morrow. Sign it and send the guard back with it. See you again about Sunday morning."

"Without fail," said Chalmers uneasily. "Let me know early Sunday, Crosby. If there's any complications on this estate, I've got to know 'em at once. I don't understand the wording of that telegram."

He broke off and said good-bye, and the turnkey, coming at Crosby's push of the bell, let the attorney out.

At eight o'clock, Crosby, fortified with a good meal and armed with the paper he had dictated in the jail office and Chalmers had sent down to him, signed, boarded the eight o'clock flyer for Omaha. He lay awake in his berth a long time, thinking, pondering, puzzling about the Chalmers case.

Promptly at one minute after eight next morning, dressed and shaven, Crosby stepped out of the depot at Omaha, and after a breakfast started up town on foot to the City National Bank Building.

The Omaha National Bank Building was a modern enough building, but the offices of Marchbank and Marchbank on its fourth floor were gloomy old-fashioned offices, equipped with furniture of a past day. The three Marchbank brothers themselves were like their offices: tall, antiquated-looking men of solemn visage, each as musty in his attitude as were the leather tomes on the bookshelves of their reception room, each clad in funeral black, each with greyed hair, and two with sideburns at the temples.

A dozen or more people, evidently servants and tradesmen, were assembled in a small office to the left of the reception room, and Crosby guessed that they were there on the same

errand as himself. He made himself known to the elder Marchbank, and exhibiting his credentials, took up a chair in the far corner of the office which the old lawyer indicated.

At nine o'clock promptly the elder Marchbank closed the door of the small room and took a chair up at the front.

"As you all know from the notifications you have received," he announced simply, "Mr. Peter Chalmers died at Plattsmouth, Nebraska, last Tuesday night, a very ill man. Mr. Chalmers, during the last two years of his life, was an invalid, unable even to manage his interests which have been in the hands of the Union Trust Company of Omaha. But to the end his disposition was sunny, his mind was clear, and his principles were as straight and clean as in those more fortunate days of his active handling of the Chalmers interests. These facts about Mr. Chalmers I had occasion to know through visiting him once a month to talk over with him such legal affairs as he considered he had."

From his breast-pocket the elder Marchbank took a long, legal-looking paper. "His will, of which this is the carbon copy, was made some two years ago by Mr. Chalmers in these offices. It involves all of you who are assembled here, and Mr. Chalmers' nephew residing in Chicago. Mr. Chalmers' estate, without going into it in too much detail, is valued at about a half million dollars."

Marchbank looked up a moment and then began droning through the legal verbiage with which wills open.

Soon the first bequest began. It was, quite obviously, to a childhood friend in England, one Roger Cotheringham by name, who appeared, judging from the text of the paper, to be doing charity work among the slums of Limehouse, London, and the 50,000 dollars constituting the bequest was given in trust to the latter, with no conditions or regulations whatever, to be used specifically for the alleviation of suffering in the district around London's docks. This evidently moral obligation met, and met more in the form of a gentleman's understanding than as a trust, the actual personal legacies began. The reading of this section was punctuated by delighted exclamations from the tradespeople and servants assembled in the room.

Then Marchbank, clearing his throat, went on :

“ ‘To my nephew, my only relative, Archibald Chalmers of Chicago, I bequeath the balance of my estate, subject to immediate withdrawals for the purpose of the bequests herein named, this estate to be turned over to him in its entirety on his thirtieth birthday, September 15, 1928, if my death occur before that time, and at once if my death take place after his thirtieth birthday.’ ”

Marchbank now looked up from his reading and without folding up the typewritten document spoke.

“ This last bequest has been amended by a codicil dictated and signed by Mr. Chalmers at Plattsmouth some months ago, and since it concerns only Mr. Chalmers’ nephew and in no-wise affects the interests of those parties I have named, I think I shall excuse all but Mr. Archibald Chalmers’ representative. The cheques for the bequests, I am informed by the Union Trust Company, can be called for next Tuesday at their offices.”

One by one the group filed out, chattering, feet shuffling, broad smiles radiating from each one’s face. At last Crosby and the old lawyer were left alone in the room. Marchbank, closing the door after the last man, took up a chair close to Crosby.

“ Now about this codicil, Mr. Crosby,” he began. “ I thought on account of the publicity factors involved that it were best for the coming few days to maintain privacy about it. So for that reason I shall read it to you alone.”

“ If you will,” was the younger man’s reply.

Marchbank once more adjusted his silk-hung glasses. And from a set of handwritten and very finely inscribed lines at the bottom of the carbon copy, he read off :

#### CODICIL TO THE WILL OF PETER CHALMERS.

My nephew, Archibald Chalmers, named as principal legatee in the above will, shall receive the legacy specified under the conditions specified only providing he secure a verdict of acquittal from twelve men in a court of law with respect to the charge of murder upon which, at this writing, he stands indicted in Chicago. Said estate shall continue to be held by the Union Trust Company pending the outcome of this indictment, and if said Archibald Chalmers be convicted upon

any points charged in the indictment or fail to secure a complete verdict of acquittal from a jury of twelve men, the Chalmers estate shall go to the founding of a school of religious study to be known as the Peter Chalmers Theological Institute, details of which are in the hands of Marchbank, Marchbank and Marchbank of Omaha. With the following exception, to wit :—

The stocks and 'bonds constituting my personal property described in my will and now in my safety box, having been left to me directly by Archibald Chalmers' father, shall revert to said Archibald Chalmers on his thirtieth birthday regardless of any conditions herein specified.

Crosby's mind was staggered by the peculiar complication that had so suddenly entered the affairs of his client.

"When was this will made?" he asked Marchbank suddenly.

"It was made," the elderly man replied, "about two years ago. The codicil was added by Mr. Chalmers last January after he learned from the newspapers at Dr. Golden's sanatorium about Archibald's indictment for murder up in Chicago."

"I'm not a specialist on wills," Crosby commented, "but do you think this will is breakable on the theory that Peter Chalmers' mind was weakened?"

Marchbank shook his head dubiously. "I doubt it. Peter Chalmers was a very sick man, but his mind was clear as a bell to the very end of his life. To this I might add—and this is between the two of us only—Dr. Golden's brother, a Methodist minister here, is named in Mr. Chalmers' schematic outline as the desired head of this projected Chalmers Theological School. You can readily guess, therefore, that Dr. Golden will never give any testimony reflecting upon Mr. Chalmers' mentality. The facts of the matter are this, however. Peter Chalmers hated villainy, crookedness, viciousness, every form and suggestion of loose living. I think the indictment embittered him greatly, and he determined to cut his nephew off completely if he were to be a convicted felon."

"Suppose," said Crosby, "that a court decided that a will based on a contingency of a jury agreeing one way or the other was illegal?"

"My dear young boy," said Marchbank, shaking his head, "a trust company will fight to the last ditch for control of a big estate. The fees for managing a half-million dollar property are most lucrative. And remember—the estate is already in the hands of the Union Trust Company, and the proposed Chalmers Theological School, furthermore, is to be run by that same corporation. So there you are. But after all, a man has the right to leave his estate as he wishes to do. Unless Archibald is acquitted in Chicago, I predict that he will never wrest this estate from the hands of those who will benefit by holding it."

"Did you yourself endeavour to dissuade old Mr. Chalmers from adding this codicil?" asked Crosby. He looked Marchbank squarely in the eye.

"Indeed I did," said the older man with a sigh. "But he wanted it the way he wanted it. That was all there was to it with him."

"Too bad he had to know about Archibald Chalmers' indictment at all," commented Crosby. He reflected a moment. "But one thing is certain, isn't it?—and that is the stocks and bonds which he describes go to my client without any conditions attached?"

Marchbank nodded. "Yes, on his thirtieth birthday." He glanced down at some pencilled figures he had made on the edge of the carbon copy. "Fifty-one thousand dollars they total at present New York Stock Exchange quotations—and I don't think the amount will change much by next September."

"You have a copy of the complete will and codicil for me?"

Marchbank extended his own. "This you may have. We have here a further copy."

Crosby put it in his pocket. Then, taking up his travelling grip, he rose.

"Good day, Mr. Marchbank. I guess I've done all I can do here to-day. I'll write to your firm from Chicago as soon as I convey the news to my client."

Once outside, he went into a drug store telephone booth and, going through the classified section of the phone directory devoted to lawyers, searched in the T's for one William Tuthill. Bill Tuthill was a former Chicago lawyer, successful

to a marked degree and reputed to be one of the best authorities in the Middle West on wills. He had gone to Omaha on account of private interests and there had settled down.

Tuthill, an active-looking man of forty-eight or so, was in when Crosby called. He was sitting in his office smoking away on a big cigar, his desk littered with papers. Greetings were soon over, and Crosby was lighting a cigar tendered him by the genial Bill Tuthill.

"Well, Bill," he began, "I dropped in to make you give me a little information. What you don't know about wills isn't worth knowing." And as briefly as he could he sketched the situation in which Archibald Chalmers now stood, and deposited the carbon copy of the old Peter Chalmers will in front of the other. "Do you think that will stand?"

Tuthill read it through from beginning to end. Then he looked up. "Yes," he said, eyeing Crosby with interest, "it will stand, Crosby. So long as the man knew what he was doing, he could will his property in just this way if he wished. The contingency phase of the will doesn't matter a rip. An estate can be forfeited by an act both of a legatee and external to a legatee, and conversely can be secured in either way if so stipulated. The supreme court of the United States has upheld a will whose bequests depend upon such a chance thing as the sex of an unborn child. Only under the conditions that Peter Chalmers had stipulated that his nephew was to perform some act either illegal or vague, which he did not, could it have been broken." He swung around in his swivel chair. "Lord, what a position you stand in to-day, Crosby! What a position!"

"I fail to see how that is," returned Crosby pleasantly. "You see, Bill, the whole thing doesn't affect me. I happen to be handling Archibald Chalmers' case on a contingency fee myself, the mode of payment and the amount strictly specified in an ironclad contract."

Tuthill looked at him long and wonderingly through keen grey eyes. He shook his head slowly. "Lad," he said at last, "you're down with your nose so close to this case of yours that you haven't yet caught the significance of to-day's developments. And somebody—myself, in fact—has got to

put you wise to where you stand to-day. Crosby, you're at the fork of two roads to-day—and you don't even know it yet—where you'll either be a cheap shyster police court lawyer for the rest of your days, a failure ; or you'll have such an amount of business and such staggering fees thrust upon you that you'll be rich beyond any dreams you've ever had."

Crosby leaned forward curiously. "How do you make all that out?" he asked sceptically.

"Listen to me, young cub," said the older man. "My father was a newspaper editor. I had three brothers in the journalistic game, and they were crack men. I played at it a year myself. Crosby, when the story of this bequest and its conditions gets out, which it will within a few days at the most, it's going to make the richest and most widely circulated associated press first page news story you ever glimpsed—the story of the man upon the verdict of whose guilt hung his inheritance of a half-million dollars. There are only three characters in that story, Archibald Chalmers, the dead man, and you—the attorney who did or didn't get the verdict. Crosby, if Chalmers is convicted, you'll go down in the eyes of the public from New York to 'Frisco simply as 'that Chicago lawyer who failed to secure a half-million dollars for his client.' But if your man is acquitted, your name is made. It's made, I tell you. Doesn't matter whether you know a rap about criminal law or any other kind of law—you'll be remembered from Canada to the Rio Grande as the man who won for his client a cold half-million dollars. Then it'll be David Crosby wired for, hired by telegraph, David Crosby naming his own fees of from 500 to 50,000 dollars apiece in the coming years and picking his own cases." He shook his head again. "Youth, youth, youth, but I'd pay 50,000 dollars to be in your shoes to-day if I were certain you were going to bring in an acquittal for that society bird down in Chicago."

Crosby leaned back in his chair, analysing, studying, reflecting upon the remarkable situation outlined by Tuthill. Not until the other had presented it to him had the potential nation-wide publicity of the news story struck him ; he was silent for a long minute while the other man regarded him from curious and half-envious eyes. At last Crosby spoke :

"Bill, I confess I didn't picture what you've told me until

you spoke the words themselves. But I get it all now. Perhaps it's as you say. But first of all, I guess, those twelve men will have to walk in with their verdict. And that verdict, in turn, will have to be two simple words instead of one : ' Not Guilty ! ' ”



## CHAPTER X

### THE DEFENCE ERECTS ITS ARCH

THE crowd which, early on Monday morning, filled to overflowing Judge Lockhart's beamed and spacious court-room that had held so many murder trials in past years, was more marked than at any of the days preceding. The line, so it was said by the old policeman who kept order on that floor of the criminal court building, had waited outside the doors from six o'clock that morning to see the beginning of the assault which the defence must make against the wall of the prosecution, and when they were admitted to the courtroom itself at nine o'clock they were standing against the rear wall two deep and jammed shoulder to shoulder against the side walls and the high window-sills.

Crosby, sitting in his usual place at the table, his client next to him, surveyed curiously first the cross, tired faces of the jury which had been locked up for two long days, and then in turn the crowd that waited hungry, expectant for something—anything. His eyes roaming idly over the sea of faces fell once more upon the veiled woman who, in spite of the crowds, had again secured her usual place in the front row, and again he felt that irritation at the thought that he was being watched, that his every move was being viewed through calm grey eyes which saw the little moves as well as the big ones. Then the sea of faces became fixed and quiet, and the low mutter of voices died away as the sharp rapping of the gavel proclaimed that the trial was on.

"Friday night," announced Judge Lockhart, looking down at the two lawyers, "the prosecution closed its case. This morning the defence will begin. Mr. Crosby, you may call your witnesses."

Crosby rose. "My first witness," he announced casually;

"will be Mr. Ignatius Y. Hickey." He nodded to the clerk of the court.

The hush in the court-room now became exceedingly marked, and twelve cross looks on the faces of twelve jurors vanished for the first time. Crosby, standing by his table while his witness was emerging from the forest of faces at the back of the court-room, slid toward his client a sheet of yellow paper on which he had been scrawling a few pencilled words during the last minute while the clerk was calling the court-room to order. Its pencilled message ran :

Now don't be disconcerted, old man, when our friend Rudolph across the way rips into my first witness. I want but one statement concerning a certain threat out of this witness—just a pebble to begin my arch with. But I got a tip this morning just before court that Ballmeier is exceedingly well read on a subject about which this witness will have to touch in order to testify about this threat. If Ballmeier flays him a bit about matters extraneous to our case, don't worry. It has nothing to do with our arch. We'll have our pebble.

And as Chalmers read the message eagerly, tearing the manilla sheet into small bits as he finished it, Crosby turned to greet his first witness.

Mr. Ignatius Y. Hickey, who climbed blithely into the witness-stand, proclaimed somehow the peculiar combination of literary man and man of action. He was of the human type which defies guessing its age, and might have been in late twenties, his thirties, or his early forties.

Crosby's first question was the customary one concerning the witness's name, but his second and its reply caused a slight puzzlement to arise on various faces inside the bar.

"What is your profession, Mr. Hickey?"

"I am a genealogist, with which profession I combine that of writing articles for magazines and newspapers showing the lineage or ancestry of various public characters."

Crosby opened his portfolio and took from it a large double-page newspaper spread, which could be seen to be replete with the half-tone reproduction of photographs, documents, and

the usual sensational heads which intrigue much-bored humanity on a Sunday morning.

"I now hand you a syndicated newspaper feature article which appeared three years ago in the Sunday supplement of at least one paper in nearly every city of substantial size in the United States. This article purports to trace the descendancy of the notorious pirate, Captain Kidd, who operated in the Indian Ocean in the years 1697 and 1698, and shows how the various branches have died out through these nine or ten generations, winding up at last with but one living descendant, Mr. Rupert van Slyke of Chicago. Will you tell the court where you first saw this article and the documents and records reproduced in it?"

Mr. Hickey glanced at the paper.

"I wrote the article," he said. And handed it back.

"At whose request?" inquired Crosby.

"At the suggestion of the managing editor of the Amalgamated Sunday Feature Syndicate," was Mr. Hickey's reply.

"You made a very careful examination of the family tree of Kidd, the pirate?"

"Extremely so, sir."

"Will you tell the court of your telephone conversation with the dead Rupert van Slyke prior to the publication of this article?"

Mr. Hickey nodded, thumbs still in pockets of vest. "After completing the article, I sent a carbon copy of it, as well as photostats of the documents, to Mr. van Slyke and then called him up next day. I asked him whether, since he was the last of this notorious pirate's blood, he would not complete the article with an interview, and I told him we could easily buy a photograph of him from any photo press agency, but would like to suggest that he pose for a photograph of himself in pirate costume, since I understood that due to his inheritance of family mementoes he possessed some of the—er—habiliments or accoutrements that Kidd used in his nefarious activities in the Indian Ocean. I urged him to round out the article."

"And what was his answer?"

"He was very angry. He objected very much to our proofs that the fortunes of his branch of the family were indisputably

established by some of Kidd's ill-gotten gains. He threatened a suit against me and the Syndicate if we published this article."

"And when you refused to kill the article, what then?"

"Rupert van Slyke said: 'Hickey, if that article is published, I will search you out at the Press Club and shoot you dead. Mark my words.'"

"But you published it?"

"Yes, sir. The Syndicate did. You have the article there."

"Did he attempt to put his threat into execution?"

"He did not. We came face to face later at the Palette and Chisel Club on North Dearborn Street. He only glared at me, turned on his heel and walked out of the place."

Crosby gazed out of the window a moment. "That is all, Mr. Hickey. Mr. van Slyke's unfulfilled threat is all I am interested in. Perhaps Mr. Ballmeier may wish to ask you a question or two about that."

Mr. Ballmeier evidently did want to ask a question or two about something, for before Crosby had finished speaking the prosecutor had risen to his feet, and he actually appeared to bristle.

"You are an authority on pirates, Mr. Hickey?" he inquired, and there was in his voice a suppressed virulence that suggested nothing other than the ire of a man whose favourite hero of fiction has been maligned.

"No, sir, I am not. The biggest authority on that subject to-day in the United States is Professor Percival L. Brown of the University of Chicago. I am a genealogist."

"In other words, you search family trees in order to find skeletons roosting on the branches, eh?"

"Well, we certainly do find 'em," admitted Mr. Hickey, somewhat freely. The court-room tittered and the jury smiled.

"In this case," said Mr. Ballmeier, himself the only unsmiling one, "you started with what you thought was a skeleton in somebody's closet, and hoped to wind up with an honest man?"

"Yes, sir," said Mr. Hickey.

"You what?" roared Ballmeier, unwilling to believe such

good luck as that the witness had admitted something strongly suggestive of blackmail.

"We hoped that tracing down the descendancy of the notorious pirate, Captain Kidd, would lead us to some prominent character—preferably rich, too—so that we would have a good newspaper story," admitted Mr. Hickey imperturbably.

"Oh yes. Mr. Hickey, you know so much about pirates, may I ask what you know definitely about Captain Kidd's alleged manipulations in this field?"

"Well, I know he pirated the *Quedagh Merchant* and was specifically indicted for that by a competent and special grand jury in London composed of such men as Sir Edward Ward, Sir Henry Gould and Sir John Powell."

"Oh, you do," said Ballmeier sneeringly. "Did you know that within these last two decades there was unearthed in the musty files of the English Public Record Office by no one else than Ralph D. Paine, the sea-story writer, the actual French pass which the Captain of the *Quedagh Merchant* tendered Kidd, when Kidd hoisted the French flag; and did you know that Kidd had letters of marque and reprisal authorizing him to prey on French vessels?"

"I did not know that the alleged French pass of the *Quedagh Merchant* had ever been unearthed," said Mr. Hickey, much interested. His face darkened. "Still Kidd was a pirate, you know. Nobody gainsays that."

"I suppose that you would find it greatly difficult," said Ballmeier sneeringly, "to conceive of the fact that William Kidd might be an honourable gentleman, a Scotch mariner, who was simply impressed into the service of hunting down pirates by the King of England himself, who with the Earl of Shrewsbury and the Earl of Romney all had a share in the outfitting of Kidd's ship, *The Adventure*? I suppose you have never given thought to the fact that the official mark of Kidd and all his men as well, which consisted of a crown—a crown, Mr. Hickey—with a human boot beneath it—is derived from the fact that they were sent by royal authority to exterminate pirates and crush the nests on the island of Madagascar. How about it, Mr. Hickey?"

"What you say, sir, is informative but of no significance in relation to Mr. van Slyke's threat about which I was

called here to testify," said Mr. Hickey, now appreciably nettled.

"So you were able," said Ballmeier, ignoring the thrust, "to pick up very nicely the family thread of this gentleman who, like all mariners of that day, undoubtedly had offspring in every port?"

Mr. Hickey smiled. "I followed only the legitimate branch, sir. Kidd's wife, at the time he became a pirate in the Indian Ocean, was living on Liberty Street, New York, with one daughter by Kidd, and one only. It was that daughter, Elizabeth Kidd, who provided the basis for tracing down."

"Your newspaper article practically claims that all of Kidd's fortunes were not captured when Lord Bellomont dug up the sum of £6,471 at Gardiner's Island off Montauk Point, New York?"

"Exactly, sir. My investigations of title show that Kidd's wife and daughter lived in a little cottage on Liberty Street, paying twenty-two shillings rental per month; but that they suddenly blossomed out in a large mansion in Boston, following Kidd's bold visit to that city. I would further emphasize that they took title to this mansion in the daughter's name. The natural inference is that a woman and girl who blossomed into affluence at such a juncture of affairs did so at the expense of spoil. The course of those family fortunes which terminate with Mr. van Slyke become easily traceable starting with the title to that Boston mansion."

"Well, let it go," said Ballmeier gruffly. "The next fifty years will see a vindication of a much-maligned man—a man who was falsely used as a political goat between the Whigs and Tories of 1698 and 1699. So much for that, then. Now in writing this article, how did it happen that Mr. Leslie van Slyke, a cousin of the dead man living right here in Chicago, was not shown up as the other living descendant of Kidd?"

"Because," said Mr. Hickey quite firmly, "my investigations showed that Mr. Leslie van Slyke was only legally adopted into that branch of the family. I was portraying only the descendancy of Kidd's actual blood."

"Well, speaking of money for a change, instead of blood," said Ballmeier, suddenly changing his tack, "how much money

did you demand of Rupert van Slyke on condition that you destroyed this article to which he had the most legitimate reason in the world to object? "

"Not a cent," said Mr. Hickey calmly. "He couldn't have bought that story for 10,000 dollars. It was too—er—juicy a titbit, speaking in newspaper terms."

"And isn't it a fact, Hickey, that what he really said to you over the phone was: 'You ought to be killed if you publish that article'?"

"He did not. He distinctly said he would kill me, and named the method of my demise and the place where it would take place."

"Are you contemplating any further articles showing the descendancy from famous alleged buccaneers of present-day people?"

"The subject is a fruitful one," hazarded Mr. Hickey pleasantly. "However, I have nothing in preparation."

"Excused," said Ballmeier, turning to his papers.

And Mr. Hickey stepped down from the witness-stand quite unruffled. The court-room lapsed into silent expectation, and Crosby looked up from his papers.

"My next witness," he said quietly, "will be Mr. Rudolph Ballmeier."

Ballmeier turned and surveyed his opponent with amazed and suspicious eyes. The hush in the court-room became even more marked than ever. Judge Lockhart stared curiously down from his bench. Twelve pairs of eyes in the jury-box opened wider.

"Calling me?" snapped Ballmeier suddenly, coming to life.

"If you please." In Crosby's voice was a tone which said: "Step lively, please. You're delaying the trial."

The little bullet-headed prosecutor who had sent a score of men to the gallows and a pair to the more recently installed electric chair as well, arose slowly from the table. Closing his portfolio so that none of his papers would be exposed or blown to the floor by any stray draughts, he climbed to the stand.

"Mr. Ballmeier," said Crosby, as soon as the preliminaries of swearing in were over, "we will now leave the Spanish Main and return to that other great unknown terrain, the

streets of Chicago's 450 square miles. Did you, Mr. Ballmeier, after the preparation of this case was put in your hands by the police department, dispatch investigators to every private and public garage in Chicago, as well as every taxicab company, using the authority invested in your office by the police department to secure the following report: the movement of every taxicab and hired vehicle in Chicago on the night of the murder between 6 p.m. and midnight?"

Ballmeier looked at his opponent cunningly.

"I did."

"I have but one more question to ask you," said the younger man pleasantly. "Among the comprehensive and lengthy reports you were able to secure by your investigators, covering the movement of every cab in Chicago that night between those hours, did you find one single trip, or combination of trips, or description of a fare, or the conduct of a fare, which would serve as an indication that Archibald Chalmers rode from the south side to the north side in a hired vehicle that night for any purpose whatsoever?"

Ballmeier leaned back in his chair. He stroked his chin reflectively. His little round face showed that he was checked and that he knew it and that he was trying very calmly and coolly to decide whether to answer the question or to make his opponent withdraw it. The fact that he had admitted the existence of such a report and that he had offered not a single item of it as circumstantial evidence of any individual such as Chalmers crossing the city, showed only too plainly that no such evidence could be found in the report. He remained silent for so long that the spectators shuffled uneasily. The jurymen changed their positions and looked expectant. Crosby stood immobile, curious, seemingly only half interested. At length, after what seemed an eternity, Ballmeier found what must have been the lesser of two evils which perched upon his head.

"No," was his reluctant answer.

"Excused," said Crosby. And a sigh went up in the court-room as Ballmeier, hesitating the barest instant as though considering whether to proceed with the burlesque of cross-examining himself, evidently suddenly thought better of it and clambered to his seat at the lawyer's table.

The ascension of Crosby's next witness caused a further



craning of necks in the court-room ; for when, in response to his nod, the clerk called Joseph Skoggins, what appeared to be the blackest, burliest, toughest-looking negro south of the Black Belt climbed up on the stand. His white teeth gleamed in two firm rows of pearl white that was matched only by the ivory of his eyes. His long skull was covered with crinkly short black hair ; his big long gorilla-like arms hung clumsily over the rail of the witness-box as he settled down in his chair ; and the sporty-checked suit with the brown chequered vest seemed to proclaim to all that Mr. Skoggins was no slow member of his race.

"Mr. Skoggins, what business relationships have you had with Mr. Chalmers ?" Crosby asked.

"Ah have know Mistah Chalmahs fo' three yeahs. Ah am the ownah of th' Joe Skoggins Garage at 830 East 42nd Street, neah wheah Mistah Chalmahs lives. We accommodates seven cahs at my place. Mistah Chalmahs has kep' his F'unay Speedstah in mah place evah since he has lived on Drexel Boulevard." Joe Skoggins looked about him casually at the sea of faces.

"When did Mr. Chalmers part with his Fernay Speedster and how ?"

"He done tell me 'bout two weeks befo' this heah murder come up that he think he sell his cah and get anothah one providin' he get a purchaser. He ask me to put up a sign in mah window adve'tisin' his cah, an' offah me anything ah can get ovah eighteen hundred dollahs. Some strangah—ah don't know his name—come in, look the cah ovah, and buy it fo eighteen hundred and fifty dollahs. Ah calls up Mistah Chalmahs, he comes ovah and we puts fru de deal. He taked de eighteen hundred he axed, an' I gets de fifty dollahs ovah. That was jes' a week befo' this yeah murder."

"Then you can testify that Mr. Chalmers had no car the night of the murder, his former car being sold and no new one having been installed in its place ?"

"Perfackly. Ah done stop Mr. Chalmahs' garage rent by dis heah ledgah on Janooary 14, an' befo' we evah get a chance to staht it again he wuz arrested an' not have no opp'tunity to buy no moh cahs."

"Excused, Mr. Skoggins." Crosby glanced at Ballmeier. "Cross-examine ?"

"None here," proclaimed the prosecutor. In his voice was the assurance: "Go ahead. Build your arch. I'll drop your keystone on your head when you get it up."

There was a disappointed look on the spectators' faces as well as a puzzled one. But it changed to interest as the clerk called the name of G. G. Griswold. Mr. Griswold, ascending the stand, was a brisk man of perhaps thirty-eight. He seemed to be a combination of business man and engineer, and so his examination quickly proved him to be.

"Your name?"

"Gregory G. Griswold."

"Your occupation?"

"Traction superintendent, Chicago Elevated Railway. Former traction superintendent, Chicago Surface Lines."

"Will you state to the court the shortest route followed and the shortest time consumed by a man travelling from Mr. Chalmers' apartment house at 4240 Drexel Boulevard to Mr. Rupert van Slyke's residence at 4020 North Oakley Avenue, a distance on the Chicago maps of eight and one-half miles?"

"At what hour of the day or night?" asked Griswold.

"At such a time of night that he could arrive on North Oakley Avenue around ten o'clock and commit a murder at ten sharp."

Mr. G. G. Griswold rattled forth his answer with such authority and speed that the court reporters leaned forward on their note-books till their noses almost touched the leaves.

"Elevated: Cottage Grove to Indiana Avenue via Kenwood Local  $9\frac{1}{2}$  minutes, to 12th Street via express  $10\frac{1}{2}$  minutes, to Kinzie via Loop 18 minutes, to Belmont via express 12 minutes, to Western Avenue via local 11 minutes: total 61 minutes. Surface: 42nd Street to Wabash and Randolph via Cottage Grove 45 minutes, to Lincoln and Belleplaine via State and Clark 50 minutes: total 95 minutes."

"Then, ignoring completely the time taken in walking to and from cars, and also ignoring completely the figures upon the very slow surface traction, if a man were alleged to have committed a murder at exactly ten o'clock at the north address, he would have had to start out from the south address at a minute to nine and would arrive home at a minute after eleven?"

"If he could spring from his house to the L platform, catch his car immediately, commit his murder in a second at the other end, and at once turn around and come back, he would still be using up two hours and two minutes for the round trip," asserted Griswold.

"Excused, Mr. Griswold," said Crosby. He turned to his papers.

Ballmeier asked but one sarcastic question of the witness. "You seem to know a great deal about our splendid L system. Perhaps you can tell me how I can get a seat going north to-night after to-day's court session is over."

"Gladly," said Mr. Griswold imperturbably. "Instead of going back over in the Loop, go one block west of the Criminal Court Building here to the new rush hour stub. You'll get your pick of seats."

Ballmeier looked a little dazed at the manner in which his sarcastic query had been neatly turned upon himself. He gazed ruefully at the witness. "Excused," was all he said.

The jury was watching Crosby attentively now, as though wondering what structure he was erecting bit by bit—what structure behind which the ever-silent defendant was to sit in his silence and defy the State.

They were soon to glimpse the shape of that structure when a slight titter running about the court-room marked the ascension to the stand of a little bald-headed man, with a stout paunch, puffy pop-eyes, and a fussy nervous manner, who answered to the name of "Isadore Katzenberger."

"What is your business, Mr. Katzenberger?"

"I am dailor, your honour?"

"I am not the judge," explained Crosby dryly. He paused for the tittering to die down. "What business relationships have you had with Mr. Chalmers?"

"Vot beezness relationships?" said Mr. Katzenberger. "Yes; Id iss in my shob on 43rd Street vere Mr. Chalmers hass his cloding gleaned and bressed always, now going on dree year. I haf der bestest shob in dose vicinity. I was assistant to der kink of——"

"Yes," interrupted Crosby, as a further ripple of amusement ran lightly around the room, and the jury smiled as

though one man. "Mr. Katzenberger, tell these gentlemen what happened on the night of January 21?"

Mr. Katzenberger turned to the jury. "I vos oud collecting mine pills because of mine rent being due, and I come by Meester Chalmers' flat at yoost nine o'clock, mine last call. I ring dot bell and go upstairs and to der old lady vit vite hair vot answer dot door I gif mine pill for dree dollar and seexty cent. She go unt I vait in der hall. In a minute back she come mit a cheque fillt out mit dree dollar und seexty cent, und I mark dot pill 'Received bayment Isadore Katzenberger.'"

"Will you describe the exact condition of that cheque and tell the words this old lady spoke to you?"

"Sait she: 'Loog oud. Mr. Chalmers haf signed dot cheque, but he haf not blotted it. Vatch out for not to plot dot signature.'"

"And what was the condition of the signature?"

"It vere vet mit ink, und I stand down in der vestibule und vafe it in der air to dry it. Den I folt it up and put it away."

"When did you cash the cheque?"

"I gash him next morning. I pay him in mit mine rent money."

"Did the cheque ever come back to you as being a forgery?"

Mr. Katzenberger was indignant. "Vell I should say not. Mr. Chalmers was made no forgeries."

"No, hardly." Crosby handed up to the witness a slip of crisp salmon-coloured paper. "Have you seen this before? And if so, will you tell where?"

"He iss der cheque vot I receef by der door, und on her back of him is der indorsement uf me to my landlord in mine own handwriting."

"You are excused, Mr. Katzenberger." And as Mr. Katzenberger began to step off the stand, Crosby added: "Except to answer a few questions from this other gentleman."

Katzenberger halted his flight long enough to answer Ballmeier's few but rapid-fire questions.

"How do you know this happened on the night of January 21, Mr. Katzenberger?"

"Because mine rent is due by der Janooary 22 always, unt

I gotta get dot money somehow. I get him all dot night, und pay him next morning."

"Did you simply take the housekeeper's word that the signature was still wet, or did you see it with your own eyes?"

"Oy yess, I see him all vet, like shine black ink. He glisten in der hall-light, und I can't fold dot cheque up and put him away until I vafe him downstairs in der cold night air."

"Excused," said Ballmeier, and his face was perhaps the only face in the entire court-room which did not seem to be highly amused by Mr. Katzenberger's ascension and descension.

The smiles had not yet faded when Crosby, signalling the court clerk, had called to the stand Howard Norwalk, the Fort Dearborn bank-teller who the previous Friday had been testifying for the prosecution. Ballmeier appeared to be in an angry mood.

"Will the clerk kindly correct his term of 'fifth witness for the defence,'" he ordered. "Mr. Norwalk is being called in rebuttal."

"No," said Crosby coolly, "Mr. Norwalk is being called for the defence."

"But Mr. Norwalk——" began Ballmeier. He turned to Judge Lockhart. "Your honour, I confess I'm little surprised when one handwriting expert climbs down from the stand with the cryptic statement that he expects to appear again shortly as witness for the defence and then the defence proceeds to call still another one of the prosecutor's experts and call him a witness for the defence."

"How is this, Mr. Crosby?" inquired Lockhart.

"The defence has merely employed the same experts as the State," declared Crosby simply. "It sounds odd, but the fact nevertheless remains. I protest against these witnesses even being termed rebuttal witnesses. They are witnesses for the defence now."

An animated discussion between lawyers and judge followed, ended at last by Lockhart's opinion, the jurors in the meanwhile lapsing back in their chairs appreciably bored.

"A witness can function for one side on one particular piece of testimony and for the other on another piece of testimony. If Mr. Norwalk's testimony is along lines different than those

used for the prosecution, he is then a witness for the defence. The same applies to Mr. Queed. Let the case proceed."

Crosby, with an ingratiating smile toward his opponent, began his brief questioning.

"Mr. Norwalk, I hand you this cheque given to Mr. Katzenberger at nine o'clock in the evening just outside the door of Mr. Chalmers' flat, with the signature still wet. You have already had this cheque for close examination with the books of the Fort Dearborn Bank. Will you state to the jury whether it is good or a forgery?"

Mr. Norwalk, with a cursory glance at the salmon-coloured slip of paper, turned to the jury. "The cheque is bona fide."

"In your opinion it was signed in that flat by Archibald Chalmers himself?"

"Absolutely."

"Excused," said Crosby.

He bowed slightly toward Ballmeier. Now for the first time Crosby could enjoy seeing in his opponent the discomfiture which the previous Friday had been part of himself. Ballmeier was checkmated as he, Crosby, had been. It was evident to the veriest neophyte in the court-room that should the prosecutor attempt to discredit the expert opinion of the witness, so did he thus discredit his own witness and the salient handwriting testimony on which the State was trying to prove that Chalmers at ten o'clock that fateful night had been skulking along the bill-boards on Western Avenue, a block to the rear of van Slyke's residence. Ballmeier opened his lips and closed them again. "Excused," was his succinct reply.

And then Alonzo Queed, still clad in his old-fashioned habiliments, took the place of the bank-teller on the stand, he backed up that young man's testimony so conclusively that it began to be fairly evident that Chalmers at nine o'clock on the south side had signed a perfectly good cheque whether or not he signed anything at around ten o'clock on the north side. Again checkmated, Ballmeier was forced to let the witness descend without a single question reflecting upon the latter's integrity and professional knowledge.

Did Archibald Chalmers, his speedster sold, make a long rattling trip on the Elevated railroad after signing that

cheque? If so, he would have reached the north side far too late to have committed the murder. And yet it would appear that he had nevertheless reached there in time to sign John Carrington's subscription-book. Where did the discrepancy lie?

## CHAPTER XI

"NEVER OUT OF OUR SIGHT"

**S**IMULTANEOUSLY with the opening of the afternoon session of court, a violent grey cloud storm came up—a storm which presaged one more snow before the spring should come. Every incandescent in the court-room had to be lighted up. The hundreds of bulbs illuminated the form of a young man with high cheek-bones, light hair, the face of the Norse races, sitting back quietly in the witness-chair.

"What is your name?"

"Oscar Okerburg." The witness's voice appeared to be the voice of frankness.

"How long have you worked for Archibald Chalmers?"

"I have worked for him for three years as valet, both in Chicago and his other home, London; and am still employed in his service, although he has been incarcerated in the county jail."

"Where were you on the night Rupert van Slyke was killed?"

"Lying in Mr. Chalmers' Chicago bedroom on a cot near the fireplace."

"What was the reason for this?"

"I had had pneumonia, and was just convalescing. The boiler of the Covington Arms, where Mr. Chalmers' flat is, was being changed, and all steam heat had been cut off for four days. The only fireplace in the flat was in Mr. Chalmers' bedroom."

"What time did he come in that evening and what did he say?"

"He came in with his latchkey at about eight o'clock and said: 'How are you, Oscar? Feeling any better? And



then chatted along one or two subjects while he undressed and got into his pyjamas and bathrobe."

"Undressed, did he?"

"Yes, sir."

"Sure of the time?"

"All I had to do was to watch that clock," said the witness simply.

"You were wakeful that night?"

"Very. I slept no more after Mr. Chalmers came in and the lights were on in the room."

"Which was from——"

"From eight o'clock till eleven."

"What did Mr. Chalmers do after getting into his pyjamas and bathrobe?"

"He made his toilet, cast a few remarks my way, and hunted through his chiffonier drawer for a copy of a book, a mystery story he seemed terribly engrossed in. Said he couldn't wait all day to go on with it. *The Mystery of the Ashes*, by Anthony Wynne, he called it."

"You recall Mrs. Morely, the housekeeper, coming to the door of the bedroom and telling your employer that the tailor was outside with a bill?"

"Indeed I do. That was at nine o'clock."

"You saw Mr. Chalmers sign a cheque for the amount?"

"I did."

"Saw him hand it to Mrs. Morely to take out to Katzenberger?"

"I did."

"What did he do and say after that?"

"Will it disturb you, Oscar, if I lie here and read for a few hours?"

"Your reply?"

"I told him no, that I had slept all day and was restless."

"His words?"

"All right, Oscar. This is some story. If you need any water or anything, or a tea-spoon, just holler."

"And from then?"

"Mr. Chalmers lay down on the bed in his bathrobe, smoking cigarettes, sometimes getting up to get another cigarette or a match and reading along on his mystery novel."

"And he didn't snap off the lights and go to bed until when?"

"Some few minutes after eleven o'clock."

"He was in your view from the time he came into that flat, signed that cheque, undressed, lay on the bed and smoked, read, finished his book, and went to sleep?"

"Yes, sir."

"What did he say when he closed his book and got ready for bed?"

"He said: 'I'm sorry to have you awake, Oscar. That story is some yarn to make one forget himself. Be sure to read it.'"

"Where was Mrs. Morely all this time?"

"Mrs. Morely came in to the parlour with an armful of mending right after taking the cheque from Mr. Chalmers' fingers, and sat there. The doors separating the two rooms were wide open, of course."

"With the result that Mrs. Morely could see him lying on the bed?"

"Yes, sir. She could see the whole interior of the bedroom, and several times she looked in my direction and smiled."

"She entered the parlour right after taking Mr. Katzenberger's cheque to him, you have told us. Now when did she turn out the parlour-lights and go to her own bedroom?"

"After Mr. Chalmers closed his book and indicated he wanted to turn in, about 11.15."

"Two more questions and I'm finished. What did she say when she got up?"

"She said: 'Thank goodness, there's a big job done. I've even darned all your socks for you, Oscar, for you'll soon be up and around.'"

"Then Archibald Chalmers was in your sight and Mrs. Morely's sight from the time he came home at eight o'clock till he went to bed after eleven o'clock?"

"Yes, sir."

"The witness is excused to the prosecution," said Crosby. He mopped off a few drops of perspiration that had sprung to his forehead. And why they had come, he didn't even know.

Rudolph Ballmeier stood up. In his eyes was the light of fight. He turned toward the witness, who regarded him with curious, yet unafraid, look in his own blue eyes.

"Okerburg, what was your temperature that night?"

"I had a slight degree above normal," was the valet's slightly hesitant answer.

"Did you have any delirium the day before?"

"No, sir."

"Did you have any at any time in your sickness?"

"Yes, in the early part of it."

"Has it occurred to you yet that you had a hallucination that night?"

"Object!" shouted Crosby, springing to his feet.

"Objection not sustained," said Judge Lockhart.

"I had no delirium that night."

"Okerburg," said Ballmeier, "how do you know you didn't drop off to sleep while all this happened?"

"How do I know?" snorted the Swedish valet, nettled.

"Because—because I know I didn't. Because I slept all day. Because I was restless, wakeful."

"Did you keep your eyes on Chalmers the whole evening?"

"I lay on my right side, where my gaze had to rest on him smoking on the bed and turning the leaves of his book."

"Okerburg, you say your wages are still being paid by the defendant in this case, although he's in a county hotel now where he doesn't need valets?"

"Yes, sir."

"Has he made any promises to you regarding future employment if he succeeds in getting back into a position in life where he needs a valet?"

Crosby's violent objection was again waved away by the court.

"Yes, sir. He stated that he expected to be out after this trial, and that he hoped that I would be with him for a long, long time."

"You would rather Chalmers were cleared than convicted?"

Crosby's objections were again over-ruled. Lockhart appeared to suspect perjury now for the first time, and seemed determined that all hidden motives come out.

"Yes, sir."

"Advantage to work for Chalmers, isn't it? Good pay, eh?"

"He pays well, sir, and doesn't require much work."

And so it went, Ballmeier driving, sparring, smashing,

stabbing, trying with all his skill to tear down Okerburg's story. Thus went the afternoon, the witness showing by his answers a loyalty to the young clubman that seemed at times almost in excess of an employee's love for his employer, yet his story remained unchanged, devoid of a single conflicting statement. And when at four-thirty the prosecutor excused the witness, he had dragged forth motives galore that might well have induced Okerburg to commit perjury, but he had not been able to find the single hole in the supposedly perjured story which always exists if the cross-examiner can find it!

Thus ended that day in court, and next morning Crosby, sitting once more at the lawyers' table, all in readiness for his address to the jury if the trial should close suddenly, put on the stand his last witness.

She was a little white-haired old lady, was Mrs. Morely, sweet-faced, rather simple and childish, with silver spectacles on her face and clad in a black silk dress of another day.

Her story, told piece by piece in reply to Crosby's pointed questions, Ballmeier all the while taking in every detail with his ear cupped in his hand, a houndlike look on his face, was one which the spectators had already heard. It was, in fact, the same as Okerburg's. She had taken the damp cheque from Archibald Chalmers' fingers at nine o'clock, given it out at the door, taken up a seat in the parlour near the open doors of the bedroom and there worked with her mending-basket until 'way after eleven o'clock. She had heard Chalmers speak with his own voice, she had heard him tell her to apologize "to the little tailor" for him; she had seen him at intervals of every five minutes when she looked up from her mending. It was not until Crosby asked an additional question to the stereotyped ones he had prepared that the lake of her placidity became ruffled with the whitecaps of emotion. He had asked:

"How do you make your own understanding of this case fit the testimony given by Mr. John Carrington that Mr. Chalmers was seen clear across Chicago at the hour of ten o'clock, when all the time he was in his own bedroom?"

"John Carrington is taking out on the poor lad the hate he felt for the lad's father," she declared with startling vehemence. "I was in old Mr. Chalmers' house years back the night that John Carrington told him he'd make him pay and pay dearly for swindling him out of 100,000 dollars. And

Mr. Chalmers wasn't a swindler. The courts upheld him! But oh, I never, never thought it of John Carrington." She paused, while the judge shook his head gravely at Ballmeier's objections. "Even Oscar is certain that they're trying—trying to send the master to the penitentiary for revenge. He told me so the first day we talked over the case."

Crosby bit his lip in irritation. He knew that that apparently insignificant phrase "talked it over" would receive some terrific broadsides from the prosecutor's guns in the next few hours.

"Did Mr. Chalmers appear to be labouring under any strain, such as a desire to kill another man?" he asked hurriedly.

"No, sir. I—I couldn't detect anything like that in him."

"Ever drop any remarks about having an enemy?"

"No, sir."

"What were his habits?"

"They were good. Archie is a good boy. He was always in early during the last months, spending most of his time reading, with now and then a night at the Sportsmen's Club."

Crosby stood pondering for a moment. "The defence excuses the witness," he said, and then suddenly added: "And if the prosecutor will finish his cross-examination the defence closes its case."

The little white-haired woman looked a bit fearfully at Ballmeier as he thrust himself in front of her, his hands in his pockets.

"Mrs. Morely, your wages have been paid ever since Mr. Chalmers' arrest?"

"Y-yes, sir. So—so has the rent of the flat, also."

"Has he said anything about employing you as housekeeper at his Chicago quarters if he draws an acquittal out of this case?"

"He said he hoped to have me with him for a long time."

"Got any other means to depend upon than working?"

"No, sir."

"You're an old woman?"

"Yes, sir. Aged fifty-nine."

"If you're thrown out of employment because Mr. Chalmers goes down to Joliet for life, you're not likely to get another place like the one you've got, eh?"

"No, indeed, sir."

"You'd like to see him acquitted?"

"Yes, indeed, sir."

"Why didn't you put in your testimony at the coroner's inquest and the preliminary hearing of this man? Why are you in court with it now for the first time?"

"Oh, sir, because early in the morning that Mr. Chalmers was taken from the house, a telegram came from my sick sister at Denver calling me to her side. When I got back to Chicago, the hearings were over and Mr. Chalmers was in jail without bail."

"Hmph! I see." Ballmeier reflected sneeringly for a minute and then returned to the fray. "Say, what was that conversation, anyway, between you and Okerburg after you got back from Denver and found your meal ticket locked up in the county jail without bail?"

"Oscar said: 'Mrs. Morley, if what you say about John Carrington is true, then Mr. Chalmers must be freed. We are his only hope. There is a damnable plot against him.'"

"Oh, he said that, did he? and what did you say?"

"Well, I just nodded."

"Meaning you were open for a suggestion, eh? And what did he say?"

"He said: 'You know as well as I do, Mrs. Morley, that Mr. Chalmers lay on that bed in front of our eyes all evening.'"

A crafty look came into Ballmeier's eyes.

"Mrs. Morely," he asked with startling abruptness, "have you ever taken part in any hypnotic exhibitions, private or public?"

"You mean, sir, that I was——"

"Will you answer that question, please."

The witness paused. She looked appealingly at the judge. He nodded down to her. "Answer the prosecutor, Mrs. Morely."

"Well—back some two years ago, I—I was hypnotized four or five times by a doctor who treated my neuralgia by—by—well, he called it suggestion."

Ballmeier laughed his throaty State's attorney laugh, a derisive sort of cackle. Back and forth he questioned, back and forth he stabbed the old lady. Motive enough he adduced, as in the case of Okerburg, for her to want to see Chalmers

acquitted ; facts enough he dug up to prove that his acquittal meant everything to her in a financial way. And time and again he dwelt upon the wording of Okerburg's statement when the valet had informed her that they had both seen Chalmers the whole evening in front of their eyes. The little old lady in the witness-chair seemed to grow littler, and tinier, more and more drooping ; yet one could see that she was fighting grimly against this dazzling searchlight who called himself the State's attorney—fighting for some reason, perhaps only justice, perhaps a hidden reason of her own, to save Archibald Chalmers from prison or the gallows.

At length Ballmeier gave it up with another of his derisive laughs. He had failed to find the hole in her story on account of the beautiful simplicity of it, but he had done much toward discrediting her testimony. He turned to the judge.

"Your honour, I have a list of fifty questions I have prepared which I wish to propound to this witness. I request that Oscar Okerburg, who testified along these lines yesterday, be excluded from this court-room while I put them to this woman."

"Is Oscar Okerburg in the court-room?" asked Lockhart.

Ballmeier pointed to a bench in the section reserved for witnesses. "He is sitting there."

Lockhart nodded to a bailiff. "Conduct Mr. Okerburg into the ante-room of Judge Randall's court-room at the other end of the building and keep him there until sent for."

The hard-jawed bailiff approached the young man, who straightway arose and accompanied him from the court-room. Whereupon Ballmeier, taking from his portfolio a long sheet of foolscap, proceeded to read off to Mrs. Morely one by one a series of questions dealing with such minutiae, such infinite details, such specific and exacting facts concerned with that night when Chalmers was said by her to have lain in his bed-chamber, that no room for doubt could have been left in the minds of the spectators that he was making one last crafty attempt to throw out the testimony of the two witnesses by showing up conflicting statements. One by one he put his fifty questions to her, one by one she answered them, and one by one he noted down her replies on his foolscap questionnaire as did likewise Crosby from his own side of the table. Then,

looking up from his paper, Ballmeier uttered the words which brought a flood of relief to her face.

"Excused," he said. And then ordered: "Call Oscar Okerburg in rebuttal."

A bailiff who had watched the Swedish valet's transference from the court-room raised the receiver of the telephone on the clerk's desk and called a number, evidently the ante-room of Judge Randall's court-room down the hall. Inside of two minutes Okerburg returned with the bailiff who had taken him away, and on being told he had been again called as witness mounted the stand. Once more Ballmeier put the same fifty questions to Okerburg, his cunning fifty questions which dealt not with the salient colourful events in that evening but with the insignificant, scarcely noted details, and Okerburg answered each of them fearlessly, unafraid. At the end of the fifty, Ballmeier drew a line across the bottom of his sheet of foolscap and looked up.

"The witness is excused," he said. "And the State closes its case."

Crosby, looking at his own notes, saw that forty-two of the pairs of answers agreed perfectly, and the other eight differed only in the degree which must exist when two people attempt to recollect the same scene.

Now both sides had closed their case. Now one side was in readiness to prove conclusively to the jury that the testimony was sufficient to convict Chalmers of murder; the other, in turn, that the testimony should acquit him. And Lockhart, glancing at the big clock, set that afternoon for the final addresses.



## CHAPTER XII

### TWELVE GOOD MEN AND TRUE

RUDOLPH BALLMEIER'S address to the jury began slowly and conservatively, not a hint of oratory in his words—only the hard, mathematically damning facts emanating from him in a steel chain of logic. Bit by bit he reviewed the testimony of each of the State's witnesses, and joining them together into an intricate pattern that fascinated the mind which contemplated it, proved that beyond all cavil Archibald Chalmers himself had been on the north side that night when Rupert van Slyke was shot to death. He dwelt for a long time on the defendant's silence, both at the time of his arrest, the coroner's inquest, the preliminary hearing and the trial itself. Upon the last two witnesses for the defence he cast all the scornful doubts that a keen speaker, working for a conviction, can cast. The afternoon waxed and waned, the jurymen leaned forward in their chairs taking in every detail of Ballmeier's brilliant summing-up of this bitterly-contested case.

"And so," proclaimed Ballmeier, drawing to the end of his talk, his tone becoming more vehement, "we have nothing else left for us to do with such facts before our eyes than to convict this man on strong circumstantial evidence, made even stronger yet by his own refusal to take the stand or to make any statement whatsoever. Remember, gentlemen, the significant testimony of the waiter, Joseph Smalley, who heard Chalmers say and who saw him say to van Slyke: 'You ought to be killed, and for the price of a Mexican postage stamp I'd put a bullet through your skull.' Chalmers was willing to commit murder for the price of a Mexican postage stamp. Then it behoves us to make the price of that Mexican postage stamp a stiff one.

"And does one of you hesitate about the existence of these threats which show the premeditation that marks first-degree murder? Then think back upon that letter which Chalmers wrote, promising death to his one-time friend unless the latter performed some deed doubtlessly wholly repugnant to the man. Here, as Judge Lockhart will instruct you, we have all the evidence of the motive. He will tell you we do not need the motive itself. We know that the motive was present. That is sufficient. The motive to kill, to strike down, to murder, was there.

"Let us hold ever before us one of the most unshakable points established in this trial: the story of John Carrington, reputable manufacturer, churchgoer, who knew Archibald Chalmers all his life, whose testimony was furiously assailed by the attorney for the defence and never pierced an iota, never shaken. Add to that, as you add two and two to make four, the equally damning story of van Slyke's servant, Edward Venson, with whom Chalmers, fleeing like a coward after the murder, bounding down the stairs toward liberty, grappled under the bright hall light. A mistaken identification of an elderly man, the defence will claim. Then, waiving aside certain vicious innuendoes which the defence put forth regarding our police officers, what explanation have we for the stickpin found in the gangway at the side of the house by Jerry Noonan directly after the murder, a stickpin which was Archibald Chalmers', and which he bought from Billy Matthews, clerk at the Sportsmen's Club? What was that stickpin doing on North Oakley Avenue? Funny, isn't it, that the jewellery of this man who refuses to take the stand lest he place his own head in the noose, develops a penchant for wandering around?

"Gentlemen, I can't conceive that all this should not be enough for you; that you can't find your verdict in five minutes upon that hidden motive, plus the absolute indisputable fact that it was Archibald Chalmers whom John Carrington met that night a few minutes prior to ten o'clock along those bill boards on Western Avenue where he was just preparing to cross the vacant land and slay his friend. Gentlemen, a double, a man who even partially resembled Archibald Chalmers, could not have talked to John Carrington, safe, sane, sound and seasoned business man of keen intellect and

accurate observational power, in the voice of Archibald Chalmers. And no double in this whole wide universe, standing under the arc-light, Carrington's fountain pen in his hand, could perpetrate a forgery of Archibald Chalmers' signature, a forgery so clever that the defence's own experts have testified it is genuine. Gentlemen, I know, you know, that man Chalmers knows that he himself stood on Western Avenue that night, and we know it because he convicted himself with his own signature. And we know that no other person in Chicago was out to get van Slyke in the manner that Chalmers was.

"Now as for the two chief witnesses for the defence's alibi. I am going to exclude utterly any consideration of the other facts which the defence desperately established. That Chalmers had no car of his own—well, what of it? Or that it takes a man so long to cover a certain distance on the L road. Again, what of it? And let us forget our time that was taken up by the ridiculous testimony of the tailor, Isadore Katzenberger, who allegedly received a damp cheque straight from Chalmers' pen less than an hour before the murder. The Jew has sold his snivelling soul for a few pairs of trousers to press. And if you still think his soul was worth too much to him to be reckoned in trousers, then consider him a poor fool whose eyes watered so badly that he stood down in the night air waving a perfectly dry cheque that had been written out early that morning.

"Plenty of ways and means, I tell you, for this idler who works neither with his hands nor his brain, to have been out on North Oakley Avenue that night armed with a gun to kill his friend. Don't let us forget for an instant the dozens of murder cases where perjury has been rampant, where witnesses have been made to establish an alibi. Let us charitably overlook the words of this old lady who is in her dotage, who herself admits that she is penniless, that she is dependent upon her master's acquittal to save her from the fate of commitment to an old ladies' home, who candidly admits she is strongly—nay, dangerously—suggestive, so much so that she once had neuralgia, an organic disease of the nerves, treated and cured by hypnotic suggestions. And let us throw out entirely the testimony of Oscar Okerburg, valet and varlet, and God knows what else in Chalmers' life, taker of perqui-

sites galore in an easy job, looking eagerly forward to a life of ease as valet to a rich man.

"Gentlemen, if you let Archibald Chalmers step from this room a free man, you upset every standard we have to go by in the law courts. You upset the testimony of a keen business man who is an honoured member of the Church and of society. You make of that man a child, of our handwriting experts mere fribblers, of the law and of the courts a folly. And this idler, this man who works not either with his hands or his brain, passes out laughing where he should at least be behind iron bars working for the first time in his life, and expiating his crime of slaying Rupert van Slyke. He has not even denied one allegation of the prosecution. Remember that. Gentlemen, you will find this man guilty. Common sense tells us that. And the penalty you will give him will be more than the price of a Mexican postage stamp. It will be commensurate with the crime of murder in the first degree."

Ballmeier sat down. A spasm of handclapping in one corner of the room followed his fiery speech and its dramatic conclusion. Chalmers winced appreciably at the handclapping. Crosby smiled. Just such a speech had he listened to that day they had tried to convict Stanley Talcott in the bond theft case, and just such an appeal in its general nature had Henry White delivered in the tiny town of Brossville, that memorable day when Lindell Trent had been sentenced to the penitentiary while he, Crosby, sat mutely by and——

But the court was speaking to him.

"How long a time, Mr. Crosby, do you think your address to the jury will consume?" Lockhart glanced at the outer windows. The early spring night had fallen. The clock at the rear of the court-room said twenty minutes to five.

"About ten minutes or even less, your honour," was Crosby's reply.

"We will conclude the trial to-day then," declared Lockhart.

Crosby rose. He fingered the papers on his table a long time before he spoke. The stillness which had first been absent from the court-room now became greater and greater. The jurymen sat in an air of expectancy. At last Crosby spoke.

"Gentlemen of the jury, the State's attorney has been

entertaining you for a little while with what we commonly call oratory. I, personally, do not run very much toward this sort of thing, and I shall therefore talk to you simply as man to man, discussing facts—likewise non-facts! I shall take hardly ten minutes of your time, and at the expiration of that time I shall put my client's fate in your hands with perfect confidence.

“Joe Smalley witness to a threat. Joe Smalley, the revengeful waiter, vindictive because of the fat pickings of which he had been shorn by Mr. Chalmers' anti-tipping rule. What a witness! But you say there was a threat. You heard Mr. Rudolph Ballmeier read it out, word by word—the letter from Mr. Chalmers to van Slyke. Well, what of it? How many of us at some time in our life have not said we would kill this or that person? It was for that very reason that I placed on the stand an individual, Mr. Hickey, the genealogist, who himself had received a death threat from Rupert van Slyke. Was Mr. Hickey killed, or any attempt made to kill him? His testimony and his presence in court show only too graphically the weight that need be accorded to such things as threats given in hot blood, and anger. As to that specific threat-letter sent to van Slyke by Mr. Chalmers, the personal differences between Mr. Chalmers and Rupert van Slyke which gave rise to this letter, my client has—as a gentleman—as a man, so my opponent terms him, who works not either with his hand or brain—preferred not to air before the public. This is his right. And in case my opponent's allegation about working ‘neither with the hand or brain’ has any weight with any man of you, remember that even though we ourselves work and slave in a factory or office for twelve long hours per day, we are not justified in sending 2,200 volts into the body of or of shutting off from the sunlight for years, a human being more fortunately fixed through heredity and chance. Assuredly, we are not going to blame the individual on account of the defective economic system which produced him.

“But, you say, murder is murder. Of course it is. And just as Mr. Ballmeier for the State has dismissed with a few contemptuous words the chief testimony of the defence, testimony which he tried for five or six solid hours to shake, to pierce, to shatter, without the least success, so shall I, as

attorney for the defence, dismiss all the stuff brought forward by the prosecution. I dismiss all this testimony without in any way casting doubt or suspicion upon the opinions of our valued handwriting experts, Mr. Norwalk of the State Bank of Chicago, and Mr. Queed. I dismiss it for what it is, worthless, a mass of trash, mistaken identification, hidden feuds, police tricks used by an enraged police department, claptrap spun and moulded into the semblance of a case.

"This man at my left should never have been held even for a night. My confrère across the table has cast much doubt upon the testimony of an old lady, suggesting viciously that she would commit perjury for the sake of a position as house-keeper. What nonsense! He talks also of drilled witnesses. Gentlemen of the jury, if I drilled those two witnesses so that their stories tallied as completely as they did even unto the 50th Ballmeierian question, then my fortune is made. He qualifies during the trial as an expert on life on the Spanish Main, yet in his final speech to you he rambles along about Mrs. Morely being highly suggestive, and quotes sceptically in his legal tongue of her having had neuralgia, 'an organic disease of the nerves,' treated by this method. Let me take occasion here to remind him that highly beneficial results have been obtained in this disease by mild psycho-therapeutics, and also to correct his medical terminology. If he will consult Chapin, he will find that neuralgia is functional, not organic. He is thinking of neuritis, no doubt. If he would study, as he does the life of Captain Kidd *et alia*, the difference between neuritis and neuralgia, he would be better equipped to send an innocent man to the electric chair.

"We know that amid this mass of claptrap testimony adduced by the other side but one thing stands out clearly: Archibald Chalmers, clad in pyjamas and bathrobe, actually signed a cheque in his own apartment shortly after nine o'clock the night of the murder, in front of two people, a cheque which the prosecution's own experts have pronounced bore Chalmers' signature, and that he never left their sight till he turned out the light after eleven o'clock and went to sleep. Does anyone actually believe that he made a long trip across the city to North Oakley Avenue after he finished signing that cheque? How did he make it? Not in his own machine which Mr. Skoggins, the coloured garage-owner, had sold with

a profit of 50 dollars to himself. Not by a taxicab, for no taxi record in Chicago, according to the State itself, shows such a trip made that night. Not by the elevated, for with a 61-minute trip to be made on the cars alone he would have arrived a full half-hour too late to commit the murder. What he did do was this: He lost himself in the pages of Anthony Wynn's *The Mystery of the Ashes*, unaware that the strands of fate were twining around him as he innocently turned the pages. But thank God, he was not lost to the eyes of Oscar Okerburg and Mrs. Morely.

"Gentlemen, I put this case in your hands as one of the most absurd travesties on justice that ever took up the time of our judges, our bailiffs, our constables, our witnesses, and your own time which has brought you 3 dollars per day while your occupations and businesses would have earned you far more. Take the case, gentlemen. And let us all eat our supper at home to-night, and begin to forget the nonsense that has been perpetrated here for the last seven days. The defence is finished."

A wave of handclapping followed Crosby's speech, and as he sat down amid the confusion he glanced toward Chalmers, who had leaned over toward him.

"That was just exactly the man-to-man, straight-from-the-shoulder speech that fits the conditions," the red-haired clubman said in a low voice. "You did splendidly, Crosby, and I am more than satisfied with you."

Ballmeier's final address to the jury was short and pungent, and he dwelt chiefly upon what constituted "Claptrap" testimony, and upon whose statements one could rely in life; competent and upright citizens, or neurotic old ladies and fever-ridden valets. Then he sat down. The trial itself was over.

Lockhart's instructions to the jury were brief, definite and entirely untinged by any apparent leanings either one way or the other. Then, with a glance at the clock whose hands pointed to half-past five, and the retreating forms of some veteran court fans who were shuffling out evidently confident that no verdict would be forthcoming for a number of hours, he rose.

"I do not think," he said from the bench, "that we can expect an immediate decision in this case. Court is therefore

adjourned until the jury notifies us it has reached its verdict."

Crosby, taking his final few words with his client as the deputy prepared to lead the latter back across the corridor to the county jail, attempted to cheer him up.

"Now buck up, old man," he counselled. "And begin to forget the long weary months. I predict we'll all be back in here by seven o'clock this evening with twelve men voting 'Not Guilty.' Then home to Drexel Boulevard, where there'll be a tip-top dinner waiting you."

And out he went, first to his office, then to supper at a restaurant where he could be paged, thence to the rooming-house on Astor Street where he lived. He sat up till late that night, reading a little, writing a letter or two, waiting always to hear his telephone bell ring. Yet not once did the familiar tinkle break the tension under which he moved, to show him that a decision had been reached down in the Criminal Court Building. He went to sleep, and, waking early, got his morning paper from in front of his door. "Jury still out in the Chalmers case," was the only news. He postponed by telephone a small case he had coming up in the East Chicago Avenue police court and remained in his office all morning. No news from Judge Lockhart's court. The afternoon dragged by and still no news. And once more he went to bed, this time a thoughtful look on his face. And it was when he was again dressing next morning that his phone bell rang and he received a message from a court attaché that the jury had reached a verdict and would deliver it in court at nine o'clock.

This time but a few straggling spectators were in the courtroom. Both lawyers were there, however, the same bailiffs, the judge in his same black gown, a good sprinkling of blue-coated policemen and court attachés, a half-dozen alert reporters, and last but not least the defendant, Archibald Chalmers, his girlish, smooth white complexion seeming even whiter than ever against his flaming red hair.

The foreman of the jury, a hawk-faced man, arose as the droning words which opened court were completed. He addressed himself directly to the judge.

"Your honour," he said clearly, "this jury has been out for thirty-eight hours, but the chances of its arriving at a decision are absolutely nil. The jury is convinced that there



is perjury in this case, but opinions are divided equally as to which side the perjury is on. Our last ballot stood six for conviction, and six for acquittal, the first six men being divided in the proportion of two for a sentence of hanging, two for life imprisonment, and two for twenty-five years in the penitentiary. It is, in my estimation, a deadlock that will never be released."

Crosby leaned forward in his chair and bit his lip. Chalmers let out a faint sigh, whether of relief or dismay no one could probably have told.

Six for acquittal! Six for conviction! As in a daze Crosby heard Lockhart release the jury and set the trial—the second trial—for the third Monday in September.

The Chalmers puzzle was no nearer a solution than at the beginning of the case!

## CHAPTER XIII

### THE PROBLEM OF THE THREE RATS

CROSBY, turning up the steps of the county jail, could hardly refrain from reflecting what a terrible week it was to be incarcerated in that tomb of granite. Outside, the hot dry street stretched north and south, and weary, tired horses plodded by as though on leaden legs. It was the seventh of September, seven days past the last of August, yet all the heat of the summer had seemingly been concentrated in this last torrid week.

Inside the jail the air seemed suffocating, stagnant, and Crosby shook his head as he rose to the fourth floor in the elevator. A minute later he was with his client. Chalmers sat on the side of his wooden cot, mopping off his white face. His red hair, carelessly cut by the jail barber, was longer now, more ragged around the ears and neck; and his skin seemed more pale than ever it had been before.

He looked up unsmilingly as Crosby sat down by his side on the cot, first glancing around the narrow cell, with Chalmers' silver comb and brush hanging on a rack, its small strip of rug, its little mahogany wooden stand at one end with the tiny travelling typewriter and bottle of ink on it.

"Glad to see you, Crosby," he said listlessly. "Suppose you wonder why I sent for you?"

"Well, not quite," returned Crosby, surveying the figure of his client. He tossed his coat on the nearby cheap wooden chair. "Well, I suppose you're wondering how much longer, eh?"

Chalmers laughed a harsh laugh. "Yes, my mind works on that problem every day. Are your opinions still as they were before on the matter of the jury disagreement?"

Crosby nodded. "Absolutely. I still maintain you would have been acquitted if it hadn't been for the testimony of

John Carrington. He couldn't fail to impress the jury with his bearing, the inflections of his voice, his attitude ; and his ability to stand up under that withering cross-examination I gave him coupled with the handwriting testimony broke the force of our own splendid alibi with the jury. His was the keystone which held up the State's arch."

"Chalmers, when did Carrington really get that signature of yours which he claims he got that night?"

Chalmers' face darkened. "You remember our agreement, Crosby," he said coldly. "To ask no questions, but to work with the material we have. I told you once that I would never answer any questions concerning this affair, even to you. The fact that I have continued to retain your services in my case shows how well I think of you. But the same old contract still holds. For you it's the ship if you win—and not a red cent if you lose, and once more, as I told you before, I shall never answer any questions concerning this affair, even to you."

Crosby stared at his client. "All right then," he declared. "It's fighting in the dark for me, you know."

"I'm not a lawyer—just a layman whose reading has been confined to light fiction," Chalmers said, "but it seemed obvious to me, too, that the very keystone of the arch against me was Carrington. The testimony was too equally divided and Carrington's story not only swung the tide in the direction of the State, but cost me four more months in this hellhole waiting for a trial Number Two. Lord, Crosby, how you fought in May to get me out on bail—but always that fifty-fifty breakup of the jury knocked it completely out. Well, so much for that. Now for the principal business. Have you wondered why I called you down here?"

Crosby shook his head. "No, I haven't. I surmised that you just wanted to talk over your case with me."

Chalmers shook his head. "No, except to have you confirm what I have felt—that Carrington's testimony is the one monkey wrench in the machinery to free me." He paused. "But Crosby, suppose that somewhere in this big U.S.A. are three crooks, three rats, perhaps by this time separated the full width and length of the country, whose stories together would absolutely break Carrington's story, and suppose they were produced at the next trial?"

"Then," was Crosby's cool reply, "you would walk out of the court-room with an acquittal." He leaned forward. "You can get hold of these men?"

"I can—like the devil!" snarled Chalmers sullenly. "At least not until I locate 'em. On top of this, once they come clean with the truth in my case, they'll be under arrest on an indictment in quite another affair which concerns them only. In other words, I'd have to pay 'em and pay 'em well for coming out of hiding straight into the arms of the police."

Crosby regarded his client curiously. "I must say," he commented, "that your case is certainly the worst brain teaser I've ever met up with. Now I suppose you're not even willing to explain your last words?"

"No, I am not," returned the other curtly. "But I am willing to go ahead, if it costs me every cent I've got, and bring 'em out into the open with their story. Now, first, what do you know about a man named Al Lipke?"

"Al Lipke," repeated Crosby slowly. "Well, about all I can tell you is that he is reputed to be the kingpin of crookdom; it is said that he knows every crook in America and where that crook can be found. Some call him the Big Brains, and others the Booking Agent of the Underworld. Yet, in all fairness, the police have nothing on him although he's been tried in a big case or two. How I happen to know something about him is that I saw him once or twice in Weidekamp's offices back in the days when I was just a young cub." He paused. "You think you can locate your men through Al Lipke?"

"That's what I think," pronounced Chalmers, "recalling what I read of Lipke's peculiar talents in the papers a while back. But I'd have to pay the price." He paused. "Now about this 51,000 dollars in stocks and bonds which comes to me a week and a day from to-day. It is my intention now, Crosby, to blow the very last dollar of that money, if needs be, to bring out these men I require, and I know of no better man to handle the situation and the cash than this Lipke. In other words, I'll hire him to ferret 'em out in the underworld, pay them the money they ask to come into the limelight, and let him get whatever rakeoff he thinks is coming to him."

"I have only this to say then," cautioned Crosby in the

same low voice with which Chalmers discussed his plans, "and that is this: Do not enter into too manifest a relationship yourself with this man Lipke. Remember, you're under indictment for murder. And he—well—he's the man for your purpose all right—but he's got too many fingers down in the rat holes of crookdom."

"Precisely," agreed Chalmers. "Now can you locate this Lipke and give him the commission from me to dig up my men? And remember—if I knock out Carrington's testimony, you win as well as I."

"One question before I answer. Have you considered that you might possibly work for enough jury disagreements in a row to finally go free under bail, forfeit your 500,000 dollar estate in Omaha, but live on that 51,000 dollars which comes to you regardless of an acquittal? Of course, Chalmers, I get nothing in that event, but I'm thinking just now of your affairs."

"How long would that paltry sum last me?" said Chalmers scornfully. "I've lived on the expenditure basis of nearly 10,000 a year for nine years. I couldn't change my mode of life now. It's too late. I can't get out and work like a dog."

"You'd be better off working eight hours a day for your living at 25 dollars per week," said Crosby sharply, "than working in prison twelve hours a day, making shoes, at nothing."

Chalmers looked up sharply. "Could it come to that?" he asked.

"With six to six jury disagreement," said Crosby frankly, "you might always keep in the corner of your mind the possibility of a turn in the game against you through the death of either Oscar Okerburg or old Mrs. Morley. The loss of one of our two witnesses would ruin our case so badly that we might——" He shrugged his shoulders. "But you say you have cards up your own sleeve?"

Chalmers nodded. "I have if I can smoke out these three rats I spoke of. But about this Lipke? Can you locate him?"

Crosby nodded his head. "Yes, I'm certain I can. There's a former saloon keeper—and he's probably still selling the stuff—named Longinelli, out on West Madison Street, with

whom Weidekamp used to communicate when he wanted to get hold of this elusive Lipke. I dare say Longinelli can still get in touch with him."

"Good," was the other man's comment. He crossed over to the tiny stand containing his typewriter, and taking from its lone drawer a letter, sealed with red sealing wax, and typed with the initials "A. L.," closed up the drawer again. He handed the latter to Crosby. "There you are, Crosby. Give this into his hands himself, and whatever answer he gives—yes or no—bring the answer to me yourself. I've crossed his palm with a retainer in it, a small cheque made out to cash, and now we'll see what our friend whose initials are down there can do toward winning our case for us."

Crosby deposited the sealed letter carefully in the breast pocket of the coat he had been carrying on his arm. Then he arose. "All right then, old man. I'll lose no time. Back to the furnace of the hottest day in the year for me. And I'll communicate with you later."

When he got back to his office in the Otis Building he closed the door in spite of the sultry breeze that played through, and looking in the telephone book found the saloon of Longinelli in short order. He rang it and asked to speak to Longinelli personally. A big booming voice transferred itself to the transmitter on the other end, the voice evidently of Longinelli, that mysterious civic anachronism—a saloon-keeper in days of prohibition—for it was rich in its suggestion of the Italian tongue.

"This is David Crosby speaking," said Crosby, "attorney in the Otis Building. I was formerly associated with Ernst Weidekamp. Have you any way of getting in touch with Al Lipke?"

"I might see Leepke or I might nawt," said Longinelli cautiously, with the cunning of the underworld.

"Well, if you do or can see him," ordered Crosby quickly, "tell him that there's an important letter waiting for him in the office of David Crosby, Otis Building."

"I weel see w'at I kin do," answered Longinelli very slowly.

Evidently Longinelli lived with his finger almost on Lipke's shoulder, for not an hour later the familiar figure of Al Lipke, whom Crosby as a mere clerk with Weidekamp, his tutor in criminal law, had seen several times in those years, ushered

himself politely in the office. He was a strongly built man of about forty-five, pink-faced, a little shifty-eyed, his sleek black hair parted in the middle, his leonine form clad in a cloud-checked suit which, while it fitted him perfectly, smacked nevertheless of the underworld.

"Well," he said, glancing about the room, and dropping into a chair, "friend of mine said you had something for me." His speech while easy, apparently careless, was correct, and bore no trace of the underworld jargon.

"Yes," replied Crosby, looking his visitor over. "I have. A client of mine in the county jail has sent you a message by me and wants an answer of yes or no." He took from his pocket Chalmers' letter and handed it to Lipke.

"Do I know him?" queried the big man, twiddling the letter in his fingers. He crossed his legs and leaned back in the chair.

"Archibald Chalmers."

"Chalmers!" The keen cold eyes of the check-suited man opened for a bare second. Then he rose suddenly.

Over to the window he went, and there, with his back turned to Crosby, ripped open the sealed envelope. He read for the larger part of a minute, and then stared out of the window for about five minutes. At last he turned to Crosby. Abstracting from the typewritten page a narrow strip of pink crisp paper pinned to it, he tore the letter slowly up and tossed the pieces into the wire waste-basket in the corner of the room.

"I think you can tell him yes," he said slowly. Then he took up his hat.

"Yes?" repeated Crosby. "And that's all, is it?"

Lipke paused on the threshold of the door, smoothing back his sleek black hair with a broad, graceful and manicured hand.

"Well, there's a further point. Now in this private investigation he wants me to undertake, he asks that I hold all my communications through you, and to use some definite name between us so that I can wire or write you." Lipke pondered deeply for a moment. At last he apparently found the solution he was searching for. "Here we are, my friend. We'll settle on the name of—say—Mabel Mannering. Now if you get communications—particularly telegrams—signed

Mabel Mannering, they're from me, regarding this work for Chalmers. All clear?"

"I get you perfectly," was Crosby's reply. "Mabel Mannering. Anything further?"

Lipke shook his head. Then with a flippant backward wave of his hand, he was gone.

Crosby felt an overpowering desire to violate a confidence as his eyes turned to the waste-basket in which Lipke had tossed the torn pieces of Chalmers' typewritten communication. For five minutes he sat, wrestling with overpowering curiosity, but at last he overcame it. Nevertheless, taking from his desk a large cloth-lined envelope, he picked from the wire waste-basket each and every piece of the communication tossed there by Lipke, and sealed them up. Then he placed on the envelope a single identifying mark, and unlocked the tiny steel-lock drawer on his desk.

"I'd sure like to know the names of Chalmers' three rats who he thinks can smash down Carrington's story," he said to himself. "But a contract is a contract, I guess."

And shaking his head, he safely deposited the sealed envelope in the metal drawer, for in him was the typical caution of his profession that told him the day might come when the knowledge of those contents would have to be in the possession of the lawyer for the defence.



## CHAPTER XIV

### SAMMY VIGGMAN HIRES A LAWYER

A LIGHT cool September rain was falling on the afternoon that Crosby, clad in rubber raincoat and with valise packed for a flying trip, made his way up the steps of the county jail. It was the thirteenth day of the month, and but six more days remained before Archibald Chalmers must again step forth in court in the attempt to obtain, through the lips and brain of his attorney, his acquittal.

Inside, on account of the total absence of the sun on the dripping city without, the entire jail with its hundreds upon hundreds of prisoners was lighted up, every cell and corridor.

Chalmers sat near the barred door of his cell, tilted back against the wall in the crude wooden chair, and smoking a cigarette. He puffed away in silence as Crosby, in his dripping rubber raincoat, stepped in through the open door as the turn-key unlocked it, and deposited his equally dripping valise in one dry corner of the cement enclosure.

"Well," Crosby said cheerfully, "my dealings with your friend Lipke have brought me a little business."

"How's that?" asked Chalmers, with that eagerness to talk and be talked to which characterizes the individual shut off day and night from the outer world.

"It seems that Longinelli kept my name in mind," responded Crosby, "for this morning he telephoned me to come down to his saloon. I went, as much out of curiosity as anything. He told me that a friend of his, Sammy Viggman by name, was in trouble up in a town called Winniston, Wisconsin, and had telegraphed him one word which had been agreed upon between them as wanting Longinelli to hire a criminal lawyer."

"And so he hired you?" said Chalmers attentively.

"I hardly know yet," smiled Crosby. "Longinelli dug back into an old tin lock-box and got out a greasy envelope which I could see was marked 'Viggman,' tore it open and extracted 200 dollars in wrinkled, dirty bills. These he handed to me on the understanding that I was to take them for consultation and for expenses on a trip up in Wisconsin to see Viggman, who is under arrest there. So here I am all packed now to run up there and see what sort of a case it is." Crosby fumbled in his pocket and withdrew from it a paper, signed, witnessed, and sealed with a great red and gold seal. "Now about this power of attorney which you sent over to the Otis Building this morning. Let me get matters all clear. I'm to go to Omaha, take possession in your name of the stocks and bonds, which come over to you on the morning of the 15th, and sell them on either the Omaha or Chicago Stock Exchange at current market rates. I'm to hold the money I get for them until I receive word from Lipke, and then pay him the amount he asks. And I'm to fill in this blank receipt with your name on it, for my own files."

"Exactly," nodded Chalmers energetically. "Whatever sum, up to the full amount, Lipke asks you are to give him in cash without any questions or receipt on his part."

"Very well." Crosby folded up the power of attorney and placed it in his vest pocket. "Well, I'm off. I intend to go from here to Winniston to interview this fellow Sammy Viggman, and see what sort of trouble he's in; then from there I'll run south-west to Omaha, get the bonds and stocks from the Union Trust Company, and then complete the last leg of the triangle home. So I'll see you inside of about two days."

He picked up his satchel and after a few parting words left the county jail amid the warm pelting September rain. He stopped off on the way to the depot to telephone his stenographer and remind her once more that any important telegrams should be relayed to him, by paying an additional fee to the telegraph company, at Winniston, Wisconsin, during the first twenty-four hours, and the next twenty-four care of the Marchbank Brothers in the Omaha National Bank Building. Then he boarded the train for the tedious six-hour trip into the region of little lakes.

Once, however, just as darkness was falling over the fields, and the train stopped on a siding in order to allow a south-

bound to pass it, he gazed out of the window as a familiar sound struck his ears. Over in a field, a hundred feet away, a threshing machine was at work, the men swarming about it like bees around a hive, calling jokes to each other in spite of the lateness of the hour, the red bandanas around their necks lending a vivid, picturesque touch of colour to the fading daylight scene. And then the train rumbled on, the scene passed, and with a mind tinged with bitterness and loneliness he resumed his reading.

He arrived in Winniston at eleven o'clock at night. A full moon, as he made his way to the lone wooden hotel, showed him the town, a bit bigger yet not greatly unlike that tiny town of Brossville in which he had started what was proving to be a rather sensational legal career. A sleepy country landlord conducted him to his room, a stuffy little hole with great pink roses on the wallpaper and a husk mattress, and he stood, lamp in hand, surveying his city guest who had stopped off the midnight train.

"Be ye up here calculatin' to see some goods?" he asked.

Crosby shook his head. "No, I'm attorney for one of your town's members—a recent addition to the place, I believe."

The landlord's face darkened. "Then ye are up here to get that air tramp outen the calaboose w'at we're holdin' f'r identification o' that there jew'ler he shot in St. Paul. Well, I reckon ye can't pull no fancy habey corpses in this air town." And he indignantly blew out the lamp and backed from the door.

Crosby was dog-tired, and in spite of the cryptic words of the landlord was soon in the land of Nod, not wakening until the bright morning sunlight apprised him that the 14th of September was on him. He dressed and, after a breakfast of succulent country ham and eggs, made his way up the street straight toward where he knew he was wanted, the solid chunky-looking concrete building near the post office with heavy iron bars on its window.

"I'm representing one Viggman being held here," he informed the grizzled middle-aged man, who appeared, from the bunch of keys on his waist and the star on his suspenders, to be in charge of the place.

The man of the keys looked him over, and spat a stream

of tobacco juice neatly and squarely across the white scrubbed threshold.

"Then I reckon I c'n let ye see your client." He unlocked the outer door and beckoned Crosby back to a barred corridor containing three stout cells, painstakingly locked the door of the corridor after him, and then in turn unlocked the door of the cell and nodded to Crosby to enter.

Seated on a wooden chair near the barred window was a man of about forty-five, as near as one could determine. A several days' growth of beard obscured his complexion, but two bright beady black eyes darted back and forth as Crosby, in his more stylish garments, was ushered into his cell.

The marshal turned the lock in the door and was soon in turn locking his way out of the corridor. Crosby surveyed his ragged, dirty client with not a great deal of satisfaction, and he was suddenly struck by the resemblance between this man and the 200 dollar fee in his pocket. Both characterized by tatters, both stained with grease.

"Crosby is my name," he began, seating himself on the cot. "David Crosby of Chicago. Mr. Longinelli engaged me to come down here and have a talk with you about your trouble."

"You mean *I* engaged you," said Viggman brusquely. "That there 200 iron men I suppose he give you was left with him once by me in case o' trouble f'r yours truly." His face was long and dolorous. "Viggman's my name, Sammy Viggman o' St. Paul. At least that's the name I'm usin' now."

"But not the one you were christened with, eh?" said Crosby, staring curiously at his hobo-esque client. He paused. "Well, what's the situation?"

"'Ere's the situatin," pronounced Viggman savagely. "Up in St. Paul, three nights ago, a jew'lry merchant by the name o' Rosecrantz was held up an' shot in the Ryan Building. Don't suppose you follow th' St. Paul papers, but I happened to read the full mornin' accounts of it. There was stole off o' him eight diamon's worth about 150,000 cucks. He'd been gettin' 'em for a St. Paul millionaire, old man Dellison."

"Must have been some eight pretty large diamonds," commented Crosby, "to be worth that much."

Viggman looked at him from under heavy, shaggy eyebrows. "Accordin' to th' papers, they was the Lord Masefield Oct—oc—oc—what you call eight things?"

"Octet?" suggested the younger man.

"Octet. That's what it was. Th' Lord Masefield Octet. Seems that there was a green diamon', an' a red one, a white one, a purple one, a blue one like those Wesselton stones, and sev'ral other shades amountin' to actual different colours, an' all cut th' same shape and size."

"So Rosecrantz, the dealer, got them for a St. Paul millionaire?" asked Crosby interrogatively. "What were the facts connected with this?"

"There was a lot in th' St. Paul papers," declared Viggman quietly, "about th' facts long before old Rosecrantz returned to St. Paul from London. This 'ere English lord or duke got hard up after the war, listed his oc—Octet in th' diamon' trade at 150,000 bucks, and finally agreed to sell 'em to old Rosecrantz. An' Rosecrantz went across th' pond an' bought 'em so as to sell 'em again to Dellison, the millionaire, who wanted 'em and was willin' to pay 160,000 dollars for 'em."

"I get you," said the younger man. "Proceed with the story."

"Well," went on Sammy Viggman, uncrossing his ragged legs, "three nights ago a lone wolf stuck up old Rosecrantz while he was alone in his shop with his young son, just after his clerk had gone home, an' at th' point of a gat forced him to open the safe and kick in with the junk—which happened to be this 'ere Lord Masefield Octet."

"Was that all he got?"

Viggman looked at his interlocutor cautiously. "Well, now you're askin' me what happened at some place where neither you nor me is supposed to ha' been. But accordin' to the newspapers, this lone stickup got only them eight stones, an' he backed out with 'em, still pointin' his gat at Rosecrantz who was standin' with hands upraised. The young lad, in th' meantime, was whimperin'. Now it seem that Rosecrantz, seein' that there octet o' stones pullin' out, was half-frantic, particul'y since it was his own coin he'd paid out for 'em, an' he reached back o' the ledge o' the vault for a gun."

"And then—according to the newspapers?" asked Crosby,

adding the last part of his question after a short suggestive pause.

Viggman smiled a crooked, leering smile. "Th' lone stickup's black mask had been slippin' from over his nose as he backed out, and it was clear offen his face and hangin' under his chin when he fired. He fired one shot."

"Who got it? Rosecrantz or the boy?"

"Rosecrantz," said Viggman. He paused, thinking upon something.

"Go ahead," urged Crosby after the good part of a minute had passed. "And then what?"

"Well, the lone stickup beat it down th' two flights o' stairs of the Ryan Building, and walked right off in the crowds. An' there was some hullabaloo in th' mornin' papers about it. Then it was that I got out o' town."

"What did you do? Hit the road, I suppose." Crosby looked meaningly at the tramp habiliments of his unsavoury client.

Viggman nodded. "Yep. Didn't have but a couple o' dollars or so. Made a rattler out o' town that afternoon, and kipped out in the jungle that night. An' I was sailin' past this here one-horse burg in a box-car early next mornin', w'en the town marshal and some other guy lookin' for 'boes moyseyed along that train o' cars an' yanked me out."

"What charge are you booked up here on?" asked Crosby. "Vagrancy?"

"Booked up—nit!" retorted Viggman. "They give me sixty days as a vag quicker 'n you can whistle. Nothin' slow about this burg w'en it comes to passin' sentence. But after I served one o' my sixty days they began talkin' and pointin' to me. 'Wonder if this is the guy that held up that St. Paul joolry merchant two nights ago,' I heard 'em sayin'. Then it seems they telegraphed. And I finds out later there's a reward o' 10,000 bones out f'r capturin' th' lone stickup that pulled that job. An' to boil a long story short, this town ain't goin' to give me up until they get a certified cheque f'r th' reward. So they've invited Rosecrantz to run down here from St. Paul and give me the once over."

Crosby paused, thinking. "Another question, Viggman. What was in the papers as to Rosecrantz's condition?"

"Said he'd come out all right in a couple weeks or so. The

bullet went through his right lung. He's in Bethesda Hospital now."

Crosby nodded. "Well, now, Viggman, I suppose you want good frank advice based upon knowledge of previous cases of this kind. And I'm going to give it to you. But if you want me to handle your affairs in this thing, I want a straight square answer to a certain question. Are you ready?"

"Shoot," was Viggman's sullen reply. He slumped down in his seat, the very picture of degradation.

Crosby arose and looked out in the corridor. It was empty. He returned and drew his wooden chair close to that of the unshaven man with the ragged, unkempt hair.

"Viggman, whatever you tell me is inviolate, of course. A criminal lawyer doesn't disclose the confidences of his client." He lowered his voice. "Were you the man that pulled this St. Paul holdup?"

Viggman sat for a long, long time, staring at the stone floor of the cell. He bit his cracked lip, and once or twice drew his ragged sleeve across his dirty begrimed forehead. The long silence began to bother Crosby, who fidgeted in his chair. He was just about to speak again when Viggman's answer came, very low.

"I'm the man, Mr. Crosby."

"I see." Crosby paused. "You cached the Lord Mase field octet after the robbery?"

Viggman nodded again.

Crosby thought in silence for a long while. "Viggman, I don't suppose there's any use whatever to tell you that crime never pays. And nobody seems to know it but the criminal lawyers. It's the most losing game in the long run that life has to offer." He paused. "Now, my friend, do you realize that you've got a scar on your face about four inches long, a quarter inch deep, and so white that it shows even under that five days' growth of whiskers? And that you've got a cast of features that's somewhat striking, to say the least?"

Viggman nodded. "I know it."

"And that you haven't any alibi whatever for your whereabouts that night, so much so that you got into a panic and hit the road?"

Viggman nodded again.

"Now for the advice. There's only one chance for you,

Viggman. Outside of that, your goose is cooked. The boy and the man—it will require the two of them probably—will identify that face of yours without any doubt. The penitentiary sentence in Minnesota for a crime like yours is from five to twenty years. A jury—and I know juries—will hand you the maximum sentence. In fact, you're up against it, and your main chance now is for your attorney to go to Rosecrantz and induce him to waive prosecution on condition that you turn back to him the Lord Masefield octet."

Viggman bit his lip. "Do you think he'll do that?"

"I've seen them do it again and again," was Crosby's sardonic reply. "So long as Rosecrantz is only temporarily injured, there's no doubt in my mind that he would take his week or so in the hospital and call all bets off if he could get back his stolen gems."

"And s'pose I don't give up the loot?" said Viggman.

Crosby laughed a harsh laugh. "Then get ready for twenty years. You're no young man, Viggman. You'd never come out of the pen alive. And as for giving up the loot——" He laughed that keen, hard laugh again. "Ever hear of the Considine Detective Agency of St. Paul?"

Viggman nodded.

"Well, I thought you'd be likely to have heard of it," said Crosby dryly. "Considering it's chartered in the State of Minnesota and has a tight hold on all the private detective work in the Pacific North-West. Heard of Victor Considine, haven't you?"

Viggman's face paled a bit. "Big Vic, eh? Yes—I've heard of him all right."

"Well, if Big Vic had ever got you into his clutches, my friend, you'd not only have been prosecuted to the fullest extent of the law in order to bring that 10,000 dollar reward into his hands, but you'd have got a beating that would have taken five years off your life. You'd have given up the location of those eight stones if Big Vic and his men had to half-kill you. And if you know anything of Considine, then you know what the result would have been. He and his right-hand men, legal crooks that they are, would have raked off a stone or two from that loot—20,000 dollars to 40,000 dollars of your only leverage toward securing your freedom—



and they'd have sworn the stuff in your cache was shy. And you? Well, you'd be up in Stillwater, paying the bill."

"Before I ever let any grafting dicks in on my game," said Viggman with a show of bravado, "I'll see 'em in hell first. But I guess you're right, Mr. Crosby, about me bein' caught red-handed. An' that's what I need a mouthpiece for. Are you willin' to go on up to St. Paul and do the bargainin' for me with Rosecrantz?"

"I am—and I am not," Crosby admitted. He continued to gaze at the other. "Viggman, what becomes of you fellows after you get pulled out of trouble? Do you learn a lesson and stay out, or do you tumble back in again? Is your case a pathological one, as Chapin claims, or is it functional? I wonder."

Viggman surveyed him uncomprehendingly.

"Where were you born, Viggman? Tell me something about your early life."

Viggman grinned. "Born back o' th' stockyards in Chicago. The old lady died when I was four. The old man was never sober a day in his life. I sold newspapers for a livin'. Kipped in a packin' box after the old man kicked out with the D.T.'s. Later, began to hang around the pool-rooms. Began to hoist the booze when I was sixteen. Sent to th' Chicago bandhouse at seventeen and stayed there a year. Learned more 'n you can dream there about th' tricks o' the game. Got mixed up with the lads who handle the soup before I was twenty. Two years in Joliet for rollin' a tuberosé—you get me, friskin' an old drunk. I never had a friend in my life. Never seen the inside of a school-room. When I was twenty-four— Aw, what's the use o' tellin' all this?"

"So you were born back of the Yards, eh?" Crosby shook his head. "Viggman, if you got out of this mess, and got a job handed to you, would you keep it and buckle down and change your life and thoughts, or would you go back to something crooked as soon as your present fright blows over?"

Viggman shook his head vehemently. "Yes, I'd keep it. I—I wouldn't go back."

"I'm going to make an experiment with you, Viggman. They tell me in my profession that your kind never reforms—

that they don't want to reform. But somehow I believe it's because they haven't really had a chance. Prohibition is on us. You'll drink little now—and still less as months go on. Viggman, I'm willing to pull you out of this mess—not for your dirty money out of which I'll take only my travelling expenses—but in order to make an experiment. I want to bring you back to Chicago, put you to work, watch you, give you a friendly hand when you need it, and see whether in five years, under proper mental guidance, this whole thing of crime doesn't actually smell to Heaven in your nostrils. Now if I did pull you clear, would you be willing to settle down in Chicago, report to me every week, and change your whole life?"

Viggman nodded. "Yes. You bet."

"Then I'll do it. Once for all I'm to satisfy my mind on this question for all time to come. And if you fail to make good, Sammy Viggman, I swear I'm going over to the bunch who say that it can't be done." He looked at his watch. "All right. It's settled then. Now first about yourself. You're in here for sixty days. The Wisconsin law says that if a sentence is imposed a prisoner can't be gotten free to stand trial in another State through the parties in the other case paying his fine. Likewise, as long as this 10,000 dollars holds over you, this town will never let loose of you. So all you do is to sit tight and congratulate yourself that Victor Considine's men haven't got you. I had intended going to Omaha from here, but nevertheless I'll go to St. Paul and see Rosecrantz. A man-to-man talk with him, coupled with the matter of the 150,000 dollars at stake, will settle the matter but one way. And then to our experiment. But first of all, Viggman, I do no bargaining, of course, until I hold in my hand the necessary thing with which to bargain."

"You mean——" said Viggman, slightly taken aback.

"That you've got to come across with that loot," was Crosby's stern answer. "You've got to come clean with me. All clean. Remember that."

Viggman thought for a minute.

"Mr. Crosby, I've heard o' you an' I've heard that you're strickly on th' square. I trust you. But remember—I'm lookin' to you to do your best to help me wiggle out o' this mess."

"I'll put it through all right for you!" declared Crosby, realizing the powerful persuasiveness of being able to return 150,000 dollars worth of diamonds to the despoiled diamond merchant. "Which doesn't mean that you don't deserve a stiff penitentiary sentence for shooting a man down." He paused. "But I'm ripe to work out a theory with you. And when you're all clear of this, Viggman, take my advice, stick to that job I'll get you in Chicago, and forget this thing called easy money. You'll live longer, and when you're passing out you'll breathe instead of strangling to death, and you'll die in a bed with sheets on it instead of a prison cot with cotton blankets."

Viggman laughed quietly. Then he did a strange thing. He rose to his feet and taking down from the hook above the cot his ragged, dirty shapeless felt hat with its wrinkled greasy band, gave the band a slight rip with his fingers. It came away in a succession of sharp jerks and tears, spilling into his hand eight scintillating jewels that seemed both to reflect and radiate the beautiful colours of the spectrum. Crosby took in his breath with a quick intake as the clear beautiful gems rolled back and forth in the dirty palm of the man Viggman.

"There's the loot," the latter was saying. "Carryin' it all th' time on me—and nobody could ever have known it."

As he took them from Viggman's hand, Crosby inspected them a little closer. So this was a diamond octet—the Lord Masfield Octet? Beautiful indeed its eight stones were unset, and far more beautiful and unique must they be when placed in a setting appropriate to their value. Crosby placed them carefully in a pocket of his black leather wallet. He withdrew the cap from his fountain pen and opened his note-book to a page marked "signatures." "Now," he said, "you're safer than you've been for a long time, Viggman. I'm going to put those stones in a safety-box at once where nobody can get them either from you or from me. Then I'm going to report very shortly that prosecution is waived in your case and the reward is withdrawn." He held out the fountain pen and the note-book. "And now your signature, according to my custom, on line eleven. Just for comparison in case of any communications from you."

Viggman signed unhesitatingly on the line indicated. Crosby put away his pen and note-book. Then he arose. "I'll write you about conditions without being too specific," he told the other. "So you'll have to read to some extent between the lines."

"An' if anything happens to you?" said Viggman troubledly. "Say, any train wrecks or something? Where do I get off then?"

"I'll protect you on that just as soon as I place the stones in safe keeping," Crosby assured him. Then he rattled the chair loudly against the bars of the cell as a signal for the marshal to come and let him out.

Presently the latter came and after a laborious locking of doors to and fro, Crosby found himself once more out in the morning sunlight. Somehow he always felt a keen, added appreciation of freedom after consulting in some dingy cell with a client, and he wondered, often and again, how men could take chances of being put away for years from the sunlight and the green spaces of the earth.

From the jail he went back to his hotel-room for a few moments to see whether any telegrams had come for him, and to wash away the grimy contact of his recently acquired specimen for his experiment in sociology. Then, after ascertaining that there was a train to St. Paul in an hour, he made his way over to the town-bank, stopping in on the way at a drug-store to purchase a box of Pelton's cough-drops. These he carefully emptied in his right-hand coat-pocket, but retained the empty box in the same coat-pocket.

The town bank of Winniston, which was apparently a county bank, Crosby found appreciably up-to-date. A tiled floor vied with a brass-barred mahogany finished cashier's window; a desk along one wall was equipped with pens, inks and blotters for depositors to make out their slips, and at the back of the bank was a room with a vault door over which was a polished brass sign reading: "Safety Deposit Vaults."

There was one man working away in the cashier's cage, a tall young man, his eyes possessing a cold—bluishly cold-stare, the part of him visible above the window, shapely, effeminate, and clad in a smartly cut brown coat. Young

as he was he affected a more mature appearance, for he wore a foppish brown beard and a brown moustache of the kind sometimes referred to by flippant girls about men they don't like as "a splash from an automobile tire." In contrast to this Beau Brummel in habiliments and hirsute adornment was an old book-keeper with round shoulders and thinned hair slaving away in the rear of the bank over a great ledger. At a desk, back of a railing at one end of the customers' enclosure, sat an elderly bluff-looking man in his shirt-sleeves, his honest, keen-looking face covered with a healthy bronze. On his desk was a typical desk sign of brass which proclaimed: "Mr. Matthew Barr, President."

Crosby went straight to the lone cashier's window. "I'd like to rent a safety-box in which to place some private papers," he said.

The effeminate-looking youth pointed with what seemed to Crosby to be a petulant gesture toward the elderly man who sat at the desk in the outer space. "See Mr. Barr over there. He handles all the keys for the boxes."

And over to Mr. Barr went Crosby.

Mr. Matthew Barr filled out a card. Crosby signed it. Mr. Barr then stood and manipulating an intricate-looking steel key with a solid gold head which hung as an ornament from his watchchain, unlocked a stout steel cabinet door, revealing a very neat arrangement for taking care of the so-called male and female keys of a safety-deposit-box system. On the back of a second steel door inside, this one locked with a combination dial instead of a key, were some hundreds of bright brass hooks, each one numbered. Mr. Matthew Barr took from number 589 a flat key of intricate pattern, on the shaft of which Crosby could see was etched the number "5-8-9-B." Then, neatly shielding the dial of the second door with his hands, he twirled it around and threw open the second door, revealing again a panel containing a little forest of numbered brass hooks, placed exactly in the same pattern as the previous set. From this he took down from hook 589 a key which, when he transferred it to Crosby a minute afterward, bore etched on its shaft "5-8-9-A." Then closing up the inside receptacle and locking the outer, he led the way to the vault room, which was provided with a neat little mahogany closet with swinging door, electric lighted, and fitted with sealing

wax, tapers, matches and writing material for the use of customers using the vaults. Mr. Barr first turned in the lock of box 589 the key marked 5-8-9—A, which he handed to Crosby.

"This will be your key, Mr. Crosby," he instructed him. "Please take good care of it, as we have no way of replacing a customer's key." And turning in the lock-box the key marked 5-8-9—B, obviously the bank's key, he drew out the steel safety-box.

"Just use the cabinet there, if you wish, and on the way out pay Mr. Worman, our cashier, 3 dollars for the rental. He will give you a receipt." Then he politely withdrew from the enclosure, but turned in the doorway. "Any time you wish access to your box, just come to my desk. Mr. Worman has no connection with the safety-boxes."

Crosby nodded acquiescence. He could see with half an eye that this safety-box system, an exact counterpart of that used by the big city banks, was a pet hobby of the old country banker.

With his box in his hands he stepped into the cabinet and drew the door to, till the spring lock clicked. Then, completely screened from observation, he withdrew from his pocket the empty coughdrop carton, and opening his leather wallet carefully removed from it one by one the Lord Masefield octet, dropping each jewel in the empty carton and counting it as it fell. Then he closed up the pasteboard receptacle, and lighting the taper sealed it tightly on both ends with red wax. This done, he placed it carefully in the empty lock-box, closed down the tin cover, and carrying it back to the machined socket into which it fitted slid it back in and dropped the nickel-plated steel lid. It clicked, shut sharply, and trying the box both without his key and with it, he knew that the Lord Masefield octet was safely locked away until such time as he wished to have final access to it.

On the way out of the bank he stopped at the cashier's window and paid Mr. Worman the sum of 3 dollars, receiving in return for it a receipt written in a dainty, finicky hand. Then he went straight back to the hotel to get his valise, stopping in for the last time at the lock-up. "I want to see Viggman once more just through the bars of his cell," he directed.

The marshal, complaining grumpily under his breath, led him back once more through the maze of locks, and as soon as he stood alone on the outside of the cell, Crosby motioned Viggman over.

"The stuff is now deposited where it's safe," he told the latter. "In case of my death, or anything like that, it's in box 589 of the town bank, sealed up with red sealing wax in a Pelton coughdrop carton. Now I'm off to St. Paul." And, summoning the marshal, Crosby left the place for good.

But when he got to the hotel to settle up his bill and get his valise, something happened that was to change the course of his plans appreciably. A youngish-looking fellow with stolid face, light yellow hair and Teutonic blue eyes stood at the desk holding a yellow telegram in his hands.

"You're Mr. Crosby?" asked the yellow-haired youth.

Crosby nodded.

"Ludwig Kamerath's my name. Telegraph agent over at the depot. I just got this in on the wire. It's from St. Louis, relayed here from Chicago."

Crosby tore it open. It bore the sending address of St. Louis and was dated the evening before. Its contents read simply:

ARRANGE TO HAVE WITHOUT FAIL FORTY-FOUR THOUSAND DOLLARS IN CASH FRIDAY MORNING YOUR OFFICE. THIS WILL COVER ALL.

MABEL MANNERING.

Mabel Mannering! This was the name agreed upon between Lipke and himself. He glanced at the telegram again. Forty-four thousand dollars! And all in cash. And Friday morning. Chalmers was paying a stiff price to break John Carrington's story. But it was his own money and his own affair. One thing was certain, however: if the cash were to be obtained for the man Lipke by Friday morning, the bonds coming to Chalmers on his thirtieth birthday, tomorrow, would have to be secured early in the morning at Omaha and marketed on the Stock Exchange that very day. As for Viggman and the wounded jeweller who lay in Bethesda Hospital, St. Paul, this could hold over a day or so considering

that Viggman was safe in his place and the jewels safe in theirs.

So, instead of boarding a train for St. Paul twenty minutes later, he was boarding a train fifteen minutes later which would land him in Omaha that night.



## CHAPTER XV

### ERIC THE WILY

MR. ERIC WORMAN, cashier of the bank of Counties Peckham, Wilder, Deaconshire and Devon, should conceivably have borne on his face a look of profound dudgeon as he worked alone in the bank on the night of Monday, September 19, at such a late hour as nine o'clock, for it is but natural that labour guards jealously its rights in the infringement of capital upon labour's time. But for some strange reason Mr. Worman's face bore a smile of satisfaction that would make it appear that to work late, finding a mere balance on trivial matters financial, was the sport and recreation of bank cashiers.

Once he raised the receiver of the phone and called Mr. Matthew Barr, the president.

"I'm still at the bank, Mr. Barr," he said, "but I've found that error and I'll be out by ten. I located it after about two hours' checking up. Old man Doddson had entered a withdrawal as a deposit again." And with the commendatory words of Mr. Matthew Barr ringing in his ears, he hung up.

He stood for a moment ruminating, arms akimbo, leaning against the shelf of his cashier's cage, his face with the cold blue eyes still bearing a pleased look. Talking to Matthew Barr at this hour of the evening seemed, somehow, to bring back to his mind that night, some months before, when Barr lay ill in bed at his cottage, and he, Eric Worman, had called solicitously at the old man's home. That evening when he had politely and without even so much as a thank you, while the old man dozed off, stepped to the massive gold watch-chain strung in the vest which hung across the chair at the head of the bed, and with a neat little cake of wax taken a perfect

impression of that gold-headed key to the outer door of the safety box key repository.

Of course, the impression of the key which opened merely the key repository itself was not of superlative value, considering that the duplicate which Eric had carefully filed from it opened only the outer door of that cabinet—exposed only the bank's set of so-called "B" keys to the boxes. Indeed, watch as he might, try as he might, he had never been able to worm out of the brain of the one man who held it—Mr. Matthew Barr!—the combination back of which lay the corresponding set of keys—the so-called "A" keys—which were given out to customers. Still, the best of systems are defective, as was evidenced by Eric's satisfied recollection, as he stroked his pointed brown beard and his foppish moustache, of those three instances when tanned and felt-hatted farmers, crawling stupidly about the bank, had handed in their keys at his window at the expiration of their box leases. It was in just those three instances, in the very short space of time, in fact in which he had called them back and directed them to take them to Mr. Barr's desk, that he had again neatly taken an impression with his little cake of wax.

With one careful look around, he thrust his hands in the topmost shelf of his desk and drew forth to the very edge four thick paper-wrapped packages, bearing on their faces the blue-pencilled figures respectively of 500 dollars, 3,000 dollars, 6,500 dollars, and 4,700 dollars.

He paused for several minutes, gazing out through the high plate-glass window of the bank toward the tiny street, which, however, was deserted. However, he decided nevertheless not to take any chances on this, his last night. So he put on his hat. Then snapping out the lights he tiptoed around in the dark with his hands full of marked packages of money, to the side window of the bank, massive and barred, which led on to a pebbled footwalk off the street.

It was open on this balmy evening, and reaching carefully out from the darkness within to the gloom without, he felt upwards to the low eaves of the building. Here, finding a series of deep niches, he carefully deposited the money packages, two to each niche. Then, closing down the window and locking it, he hurried back and snapped on the lights again, so that should some casual townsman be passing outside

the latter he must simply think that Eric Worman, cashier, working late as usual, had decided to start for home, but had suddenly remembered something and had again turned on his lights.

For a second or two he now stood back of his cashier's cage again, and this time he inspected something which he pulled from his vest pocket, four flat keys made out of bright steel, evidently home-made ones, yet the intricate indentations of each carefully cut and smoothed with the file. One of them was numbered in indelible pencil that shone purplish under the light, 208 ; one 195 ; one 589 ; and one somewhat different in design from the others, "Keybox."

Again he looked toward the street. It was quite deserted. Eric believed in extreme caution, caution in all things. So on his fingers, under cover of the shelf, he drew a pair of chamois skin gloves which resembled human skin in their hue. This done, he walked nonchalantly around and out of the cashier's cage, directly over to the key vault above Matthew Barr's desk, which was however shrouded in semi-gloom, and unlocking it with his home-made key marked "Keybox" abstracted in the twinkling of an eye from the visible row of brass hooks the keys 2-0-8—B, 1-9-5—B, and 5-8-9—B. He had duplicates of three of the second "A" set in his pockets. Those were the three which in past months had been flung down at his window. Those were the three from which he had quickly taken wax impressions. And those three had since been re-leased out to new customers.

He left the door of the key-vault a mere sixteenth of an inch ajar so that he could later quickly replace the three "B" keys. A glance again at the street showed him that it was quite deserted. Boldly, a ledger under his arm, Eric marched into the vault room.

Inside, however, he did not snap on the lights, lest someone—some busybody—on the outside might reason that Eric Worman was in the safety vault room too long a time. Instead he drew a small electric pocket light from his pocket and used it with equal success.

The first box he tried was number 195. He inserted in its lock the duplicate of the "A" key which even now was in the possession of old Owen Harrison, whose extensive farm was two miles to the north of Winniston. After completing

its turn, he withdrew it and inserted the 1-9-5—B key. The front of the box fell open with a pleasing click, and, pocket light in hand, he drew out the interior coffer and looked within. A grunt of disgust escaped him, for one look at the contents showed him one lone paper on the top of which were to be seen the typewritten words: "This is my last will and testament."

He lost no time in slamming the box shut. Then he turned his attention to box 208, whose key was now in possession of old Mrs. Pawley, who lived in the mansion upon the hill. Again by the use of the two keys, he revealed a box which contained some miscellaneous papers yellow with age, some sort of a deed with a map attached, and a book containing war savings stamps. He locked it promptly up again, and now, rather discouraged, turned his attention to the third and last box, number 589.

Number 589 caused a curse to rise to Eric's lips. That was the box leased by the prosperous-looking stranger, Crosby by name, who had stopped off in Winniston some time back. And all it contained was a box of Pelton's coughdrops, such as he himself often used. Eric Worman was surely out of luck!

He picked up the pasteboard carton, however, and examined it in the light of the torch. It was sealed on both ends. He shook it. Something rattled. He tore off the end and dumped the contents in his hand. And what he saw in the soft palm of that member caused a gasp to rise to Eric's lips. Eight gems that scintillated and sparkled in the beam of white light like bits of fire.

Eric Worman had always been a quick thinker. Only for a second did he stand pondering. Then he swept the stones into his side pocket, snapped out his light, and stepped back to his cashier's cage, opening the door of the washroom as he went and turning on the light. At his desk he found what he wanted: a package of Pelton's coughdrops. He smiled a mocking smile as he emptied them into his left-hand coat pocket and then, very carefully, very accurately counted off eight into the cardboard carton whose ends he closed tightly. This much done, he again repaired to the vault room as he had before. Sixty seconds in the cabinet sufficed to seal neatly the ends of the box with the same red wax that had

sealed its forerunner. And thirty more seconds sufficed to drop it back in the casket which protruded from the wall, and three to close that casket tight.

This time, on emerging from the vault room, he walked boldly out and locked the great door securely behind him. He snapped off the lone light in the washroom which cast a little too much illumination in the general direction of Matthew Barr's desk. Then, fortified by the increased gloom, he replaced the three "B" keys on their respective brass hooks, stripped from his hands the gloves which he stuffed into his pockets, and prepared to turn off the solitary light in his cage and set the electric burglar alarm system. Thus it was that within ten minutes after the coughdrop-box episode, Eric Worman, his soft rakish grey hat on his head, was stepping from the front door of the bank, now securely protected against thieves and such marauders!

Down the long street of the little town he went, jauntily. Then up a side street he proceeded, and presently was turning in at a tiny cottage painted green, with broad shutters which hung outward from the windows. The widow Creely, with whom he boarded, greeted him as he came up on the porch.

"Workin' late to-night, were you, Eric?"

"Yes, Mrs. Creely. Had to find one of old man Doddson's errors to-night, so the bank's books will be all clear to-morrow. I'm going up to St. Paul to-night on an unexpected business errand and want things all clear in the morning."

"Then ye won't want yer breakfas' in the mornin', Eric?"

"Not to-morrow, Mrs. Creely. But I'll be with you at supper as usual."

He passed upstairs to his room, and by the light of his coal oil lamp carefully packed his bright garishly yellow suitcase with a number of things; a suit of dark blue serge clothing, from which every vestige of name and tailor had been carefully removed the night before; a shirt, newly bought and two collars, all without mark or maker upon them; a soft felt hat, black, with the name of the town's general store removed from it as in the case of the suit. He also put in a comb and brush, a towel and soap, a suit of underwear, a pair of socks quite different in hue from the light tan ones he wore, and extra handkerchiefs, all of which articles bore not a single identifying mark, a safety razor, a pair of

small scissors, three blades, a stoppered flask of soapy water and a black gunmetal watch. The stones in his pocket he tied coolly in the corner of his handkerchief and pinned this by a safety-pin to the lining of his trousers pocket. He inspected with a reflective look on his face a mysterious bulky green paper package, square in shape, and then made room for it in the sparse contents of the suitcase. He dug up from a bureau drawer a tied-up parcel and removing from this the brown paper and string-revealed a bright steel trowel which he insinuated gently down in the folds of the loosely packed blue serge suit.

At last he emerged on the porch, and placing the bright yellow suitcase at his feet sat down on the top step for a while and gossiped with the widow Creely, who seemed to know, somehow, the doings of every person in that town.

At last, however, with a look at the silver watch in his pocket, he rose.

"Hard lines, Mrs. Creely, to have to pile out of town, on a night when I ought to be in bed." He yawned. "Got to be done, however."

He picked up his yellow suitcase and with it in his hand went down the street. As he reached the bank on his way to the depot, Eric stopped to fumble at his shoestring exactly where the pebbled side path which separated the bank and old man Hoskins' store intersected the sidewalk. He saw as he fumbled that the street was quite deserted. Back he slipped in the corridor-like space to the barred side window which looked out upon it. In a trice he had taken down from the eaves above it his four bulky packages of money, had silently opened the suitcase and had jammed them deep into it and closed the cover tight upon them. A second later he had emerged and was walking down the hill which led to the depot.

At the station he set down his suitcase and chatted with Ludwig Kamerath, the town dispatcher.

"See you're on duty nights this week, Lud," he said. "Don't like it, do you?"

Ludwig Kamerath, yellow hair and straight holland-blue eyes, shook his head stolidly. "I do not like it," he said. "But got to split up the tricks even. Where bound, Eric?"

"St. Paul," said Eric easily. "Give me a round trip for

the eleven-fifteen. Chair car, Lud. Expect to be back on the six o'clock to-morrow."

Ludwig Kamerath punched a tiny perforated double coupon, and depositing in the cash drawer the even change he received, repaired once more to his telegraph key which had started a violent chattering. As for Eric, he boarded the flyer, and wended his way into the chair car. After the conductor took up his ticket, he sat back in an apparent doze like that in which the few remaining passengers sat. Once he rubbed his eyes like a waking man, and in the dim light that fell from the ceiling of the chair car, inspected a tiny slip of notations in his own handwriting. He could recall the day in St. Paul when he had bought a tramp a dinner and had drawn forth from him a number of tramp experiences and tramp data. "It's dis way, cull," the tramp had explained in response to one particular leading question. "It's a mail train and she carries nuttin' but mail coaches. She starts out from de Pacific coast, an' don't make no stops 'round dis territory except Fargo Nort' Dakota, St. Paul, w're she drops a car, an' Mormon Junction, Wisconsin, w're she switches off anodder car to go sout' an' west. I makes her a hunerd times w'en I'm makin' Chi, ridin' atween any o' dem front coaches tru' de night. After she pulls outen Mormon Junction she don't make no more stops afore Chi escept w're she waits a full half-hour to give the pass to a nort' out o' Chi, out in de weeds near a place called Dunning, w're de Chicago Booby Hatch is located." And thus in this strain, with the result that Eric's little slipful of notes made in pencil, and which he now scanned a little anxiously, read:

Pulls out from Pacific North-west as Great Northern mail train. Carries mail coaches only. Generally eight or nine. No stops between St. Paul and Chicago except Mormon Junction, and a spot on the outskirts of Chicago called Dunning. Mormon Junction 12.20. Outskirts of Chicago 8.14. Stands twenty minutes or more. No Brakemen.

On hearing the train slowing down, Eric peeped from the window, pressing his eye close to pierce the black velvet of the night. Thus he saw the well-known water tower of Mormon Junction which he had so often glimpsed on daylight

trips to St. Paul. He tightened a little in his seat. He heard the train come to a grinding, whining stop, and saw passengers arising in the night from the car to change lines here. He watched out of the window until he saw the conductor move down toward the brightly lighted station, then he slipped down the aisle and down the steps to the gravelled platform of Mormon Junction, but instead of going up toward the station he turned exactly the other way and slipped off into the darkness, across a great field of burdock weeds.

In a few minutes the train had started off again northward toward St. Paul and Eric Worman was left in a field of burdock weeds. His silver watch with its luminescent hands showed the time to be one minute after twelve. Nineteen minutes dragged by. And when these same luminescent hands showed the time to be twelve-twenty, the shrill scream of a whistle sounded the approach of the Great Northern East-bound Mail. He waited where he was until the mail train slowed up and began taking water at the tank, some distance in his direction from the station platform. Slowly he made his way through the burdock field, weaving in and out, hanging tight on to the yellow suitcase, and when two melancholy toots of the whistle announced that the train was about to start, Eric Worman crept from the burdock weeds, and swung himself easily up the tiny iron ladder that hung at the edge of one of the great steel-studded cars. There, between that coach and the one behind, he found a most convenient and comfortable ledge on which to sit, knees crooked, feet resting on the ledge of the car in front of him, the yellow suitcase a veritable cushion beneath him, his back against the end wall of the mail car in the rear of him, outside the flying county and grey-cloud-smears sky.

It was about one-ten in the morning, he realized, when the flash of a passing station showed him the briefest of brief glimpses of the stolid face of Ludwig Kamerath seated at his key inside under the electric bulb, followed by several landmarks of the town of Winniston. And now Eric Worman, who had left Winniston that night and had travelled north toward the twin cities, was south toward Chicago—and nobody knew that tiny yet valuable fact.

The night passed, a night through which he roared his way. And when at last the black fields on either side of him became



a grey veldt steaming in the leaden dawn, he was cold and blue and stiff. And when, still fifteen minutes later, the mail train finally stopped and stood stock-still, a quick glance at his watch showed him that here must be the point where it waited on the siding for a north-bound out of Chicago.

A cautious peep out one side showed him the engineer leaning from his cab, gazing unseeingly out over the adjoining tracks. A peep out of the other showed him that the coast was clear, and still better revealed a tangle of tall weeds close to the track with some distance off a wood dense and thick. Like a flash he was off, yellow suitcase and all, from the ledge and into the weeds, and here he crouched flat for full fifteen minutes, shivering from the cold and the damp until at last, as a swift passenger train bound north shrieked past the spot like a demon, the mail train ground slowly off and Eric Worman was alone on the north-western outskirts of Chicago.

The first thing he did was to pick his way through the fields of weeds, and into the woods. Here it was more gloomy, but the sky was growing brighter, and he shortly found a small clearing close to a tiny creek which bubbled its way along a rocky bottom.

He opened his suitcase, and by means of the bottle of soapy water, the small scissors and the safety razor, proceeded to cut off his beard and moustache and shave his face entirely. A new Eric Worman stared back at him from the pocket mirror he used, and when he tried upon his ears and nose the pair of gold-rimmed spectacles which he had bought in St. Paul and never yet worn, he was startled by the violent transformation.

He shivered frightfully as he stripped himself of every vestige of clothing, socks, underwear and all, and standing on one dry rock quickly garbed himself in duplicate pieces from the yellow suitcase. He warmed up quickly as he buttoned himself into the new snug woollen union suit, and then, piece by piece, as it were, he became a young man garbed in neat blue serge instead of in a striped and rather audible brown. He washed completely and carefully in the tiny brook, using his soap and towel, and piece by piece, as he dressed, he tossed his discarded garments into a neat pile close by.

It was a full hour and a half when, fully satisfied with the results of ninety minutes' application to a delicate problem, Eric proceeded to remove the turf and dig a hole not far from a big oak tree, a rod or so away from where he had worked. The steel trowel which he had bought performed admirable service in this task. Of course he had already removed from the pocket of his brown suit the eight stones which had travelled with him from Winniston, and he had, in fact, made them into a neat paper-pocket by means of a pair of stout rubber bands and some of the green paper around the square bulky packages he had brought. This green paper-pocket he had placed on one side together with the four cumbersome packages of currency and the gun-metal watch. As his hole grew to the necessary depth, Eric dropped into it every garment he had worn away from Winniston, including the rakish grey hat which caused him a poignant pang, and the silver watch which caused him no pang whatsoever. Then he piled dirt over the contents, stamped it down, laid back adroitly upon it the turf he had neatly removed, and threw the surplus soil and lastly the trowel into the singing creek.

Now he was down to elementals—money, stones and container—which was exactly where he wished to be. He pondered a moment. In the open suitcase he arranged the bulky packages of money under sundry canvas straps in each section which was supposed to hold shirts. The eight stones in their green paper-pocket he worked back of the upper shirt flap itself, where it was held fast by the pressure from the bands. Some 35 dollars in bills and change, taken from his other clothing, he deposited in the pockets of his new blue serge suit. He locked his case with his key. And with the dark felt hat on his head, he emerged from the wood a few minutes later on to a road which ran on the other side and parallel to it.

Suitcase in hand he walked jauntily along, meeting no one, until finally he reached a sparse group of houses and stores. The chipped porcelain letters on a one-story wooden post office said: Dunning, Illinois; and across from this structure stood a great institution composed of hundreds of brick and red stone buildings, the Chicago State Hospital. And directly in front of the gate itself terminated an electric car-line which appeared to come from over a crest or rise in

the street, a block to the east, and on one of whose trolley posts was nailed a wooden sign reading : " City Limits."

A mean-looking street-car drawn up at the end of the line, with its west-end exactly even with the sign " City Limits," bore the words : Chicago Surface Lines. The sign on that end of the car proclaimed simply " Dunning," and Eric rounding it, and making at the same time a casual inspection of its other end out of the corner of his eye, saw that that end of the car bore the interesting legend " Broadway." Obviously he was on the outskirts of that great jungle, Chicago.

The important question now before the house was whether or not this particular car, after it climbed up the adjacent incline between vacant lots and wooden fences to disappear over the hill, went straight to the heart of the city, which was exactly where Eric wanted to merge his own quite unobtrusive self. Or did this car only skirt the great city back and forth, to and fro, never entering the sacred portals of metropolitan existence ? True, to step up and ask the conductor was but a simple thing, but there was something about this procedure that did not appeal to Eric's over-cautious nature. How would a stranger be out here at this God-forsaken spot, without having already come from that very terrain of civilization about which he was making inquiries ? Even a street-car conductor might be set thinking by such a paradox ! Indeed, such a question implied too strongly that this particular stranger had appeared here in this spot by some form of magic, and thus would be registered an incident which might conceivably find its way into police calendars. Such inquiries as he might make he would make of people who wore the honest clothes of labour, and reasoned in simple logic ; not those attired in uniforms with brass buttons.

So he allowed the car to draw away without him, remaining sitting on his suitcase at the curb, whistling gaily and nonchalantly as though he were waiting to be joined by a companion from the asylum across the way. And in turn another car came like a yellow beetle over the crest of the hill a block to the east of him. It, too, drew to a stop. Its motor-man readjusted its trolley, its conductor ground his fare-box back to zero, and in short order it too pulled off Ericless !

At last two lone voyageurs like himself—a labouring man and a youth—appeared over the crest to the east, and as they drew up at the terminal Eric perceived that they wore the habiliments of honest labour. When the older one, looking about him as one quite unacquainted with the district, had spied a grocery store up the street and emerged therefrom with two bananas, one for himself and one for his companion, Eric now knew that he was in contact not only with strangers but with the proletariat as well. Donning his most ingratiating smile, he tackled the older of the two. Did this car marked Broadway take one straight to the heart of Chicago?

No, this car did not, he was punctiliously informed, to which was added a demonstration with a banana, now used as a pointer instead of an edible. If he took this car—which travelled solely on Irving Park Boulevard, an outlying street—to its destination, and thence transferred to the intersecting line, he might be all morning travelling many useless, tiresome miles. What he should do was to stay on this car only until it crossed that great diagonal thoroughfare—the banana now made a sweeping gesture—Milwaukee Avenue, which cut slantingly across Chicago and took one into the heart of the city much, much quicker. And furthermore, he should remain on the back platform where the exit door was, if he would dismount when the conductor should call “Milwaukee Avenue,” since there was a circus disgorging its spectators a few blocks east on the line, the cars this morning were loading up terrifically at that point, and would be hopelessly jammed. If he now went inside and took one of the many empty seats, he would never, never extricate himself from that jam and get to the exit.

A circus! In the early morning! How droll, Eric reflected, was metropolitan life.

But he was pleased indeed to get this vital information, which would save him many hours of travel, and as his informants now appeared busy about their own affairs, including the degustation of their bananas, he withdrew himself politely to one side until the next car came along. Now he boarded it. It stood where it was only until a new car hove into sight to the east, bouncing and bounding along and making the trolley wire above sing shrilly. Then the conductor jerked the bellcord and they started off.

Eric stood on the rear platform as he had been instructed, ready to shift his corporeal self and possessions to that Milwaukee Avenue car when they should cross that line, and he looked at his watch. The gun-metal timepiece showed the time to be exactly eighteen minutes past nine in the morning. The sun was shining brightly. He began to whistle once more his gay little air. For Eric Worman was no more. No pictures existed of him unshaven; no pictures were in existence of those earlier days in Rennsville.

Truly it was a good night's work, and everything had operated as though on greased wheels.

## CHAPTER XVI

### ANNE WENTWORTH ANSWERS AN AD.

ANNE WENTWORTH, in her cheerless rear room on West Huron Street, stared puzzledly at the want-ad. which headed the list of those she had been anxiously scanning in the Chicago paper, dated Monday, September 19. It read :

WANTED : 1,200 MEN WITH SUITCASES, AGED FROM 18 to 60, Tuesday morning, promptly at 7.30, for one half-hour's light, easy and simple employment. Wages 10 dollars per man. Paid promptly at 8 a.m. Apply at the big tent, Irving Park Boulevard and North 60th Court.

"What a munificent sum," she commented to herself, half-bitterly, half-enviously, "for only a half-hour's work. Oh, why can't I be a man or a boy for just to-morrow morning?"

But the reflection that stared back at her from the cracked mirror of the bureau showed something quite other than a boy or man, the picture of a girl who partook of the opposite sex only in her slim boyish build, whose red lips were the lips of a woman, red kissable lips.

She sat where she was a moment longer, then her ruminations were rudely broken into by a measured and ominous rapping on the door. She bit her lip and stepping across the room threw it open.

On the threshold stood a woman of fifty, with streaked grey hair about her thin temples and tiny sour lines around the corners of her mouth. She was clad in dirty apron, and her arms were akimbo.

"Miss Wentworth——" she began, but Anne motioned her to come in, and closed the door carefully behind her.

"Miss Wentworth, I've had an offer for your room this mornin' from a gent what sleeps days, and I'll have to ask

you to find another place. I can't go along no longer waitin' f'r my money this way, and I'd rather lose what little you owe me than get deeper in the hole."

Anne Wentworth looked at the woman, the very embodiment of hardness and coldness.

"Mrs. Capsum, I—I wish I could ask you not to rent the room over my head. The fact of the matter is that I am terribly embarrassed for money. If you put me out, I haven't the price even to rent another room, and—and I don't know what to do. I realize of course that you're a poor woman, with this rooming-house to take care of and pay rent for. And I——"

"Why for," inquired Emma Capsum acidly, "did you get yourself into such a condition regardin' money? It seems t' me you been a workin' long enough for that there rich lady on the Lake Shore Drive you was tellin' me about. She musta paid you big money," she added.

Anne Wentworth's face clouded. "No, Mrs. Capsum. Mrs. Hester Cornell, the lady I told you about, didn't pay me much money. Mr. Cornell is on a year's trip through South America in connection with this business, and what Mrs. Cornell paid me came purely out of her personal allowance for spending money. I will be frank with you, Mrs. Capsum. Mrs. Cornell paid me the sum of 10 dollars a week. For that amount I have read to her and helped her with her social correspondence and all such duties. It isn't much as salaries go, but it has given me the use of her library and her home, and still better the cultured society of an educated and refined woman. That was the reason I was glad of the opportunity, even though the salary was only 10 dollars a week."

"Well, I should say 10 dollars wasn't no money," snorted Mrs. Capsum. "A strong girl like you could make eighteen to twenty ironin' in hand-laundry. Why, you been a-wastin' you time workin' for this here Mrs. Cornell for such wages."

Anne smiled unhappily. "I don't feel that way, Mrs. Capsum. I have gained so much from her society. And as for the money, it was all she could afford out of her own limited allowance for spending money."

Mrs. Capsum's eyes wandered over the tiny room with a sense of proprietorship, such as a landlady uses when she is

figuring the date when she must next decorate at the ruinous prices decorators charge. Finally her eyes came to rest upon Anne again.

"Wouldn't this here Mrs. Cornell advance you some money?" she queried hopefully.

Anne pushed back the ringlets from her forehead. She went to the creaking bureau drawer and drew from it a tiny gold-edged envelope, which she opened before the eyes of Mrs. Capsum. That lady's eyes became a trifle larger as Anne took from it a salmon-coloured slip of crisp paper. As for the note it contained, Anne handed that to her. Mrs. Capsum found a pair of silver-rimmed glasses somewhere on the back of her grey topknot and adjusted them on her flat nose. The note which Anne had given her to read, ran as follows :

DEAR ANNE :

I entirely forgot to tell you when you were here yesterday that I am going out of the city to-day for an indefinite time. I want you to still feel that you are working for me as my little reading lady, as well as my little writing lady, and having just received my delayed allowance from Mr. Cornell to-day, am enclosing you a cheque for 100 dollars which is to cover your rather meagre wages for the past three weeks and the next seven weeks to come. Dear girl, I do not anticipate that I shall be gone for anything like that time, but I wish to feel that I have not left you without some money which I know you require. Now I want you to keep in daily touch with the Lake Shore Drive residence, and as soon as I am back I shall want you, if you are still agreeable, to resume your little duties just as before.

Very hastily,  
HESTER CORNELL.

"Well, that's fine," said Mrs. Capsum, melting like the Martian snowcap in the terrestrial summer time. "A hundred dollars——"

"But—wait, Mrs. Capsum," interrupted Anne wearily. "Mrs. Cornell in the confusion of leaving the city forgot to sign the cheque. It is drawn on her own little account in the Northside Cosmopolitan Bank. It's plain that she thinks



she signed it—but she didn't. And it isn't any more good to me than the paper it is written on."

Mrs. Capsum lost no time in freezing up. "In which case," she said gelidly, "you ain't got no money after all to pay me the 9 dollars you owe me for them three weeks' rent." She rose. "Well, all I'm a-sayin', Miss Wentworth, is that this gent is comin' to-morrow afternoon to pay his deposit, an' as I gotta make my living I'll have to ask you to get new quarters. In other words, I'll stand to lose the 9 dollars, and call it a bad bargain all round."

"You won't lose the 9 dollars," was Anne's weak response. "You'll get fully paid up, Mrs. Capsum, no matter what happens." She gazed ruefully at the cheque. "Oh, I'm so sorry that this mistake had to happen. I have kept thinking each day that Mrs. Cornell would write me, letting me know her new address, but no word from her. And—I might not hear for a week or two weeks."

A long peal at the doorbell down below roused Mrs. Capsum to rooming-house keeper activities. "Well, I got to get down an' answer that door," she said. "Don't forget, Miss Wentworth, to pack up to-morrow." And she was gone.

For a few seconds Anne stood thinking determinedly. Then she suddenly donned her hat and jacket, which lay on the bed where she had thrown them. She turned down the whistling font of yellow illumination and descending the stairs went out in the night. Past street after street, studded with carefully kept elms, she walked, and finally turned in at the iron portal of a beautiful brown-stone residence which set back from the street some way and around the edge of which was a driveway with an arch.

Up the front steps she went, and gave one or two rattles at the massive polished copper knocker. She waited a moment. The great door was finally opened by a woolly-haired old negro in a serving-man's uniform.

"How does yo' do, Miss Anne," he greeted her.

"Uncle Mose," she said, "has—has there been any word at all from Mrs. Cornell?"

Old Uncle Mose shook his head. "'Deed no, Miss Anne. Sence she pack huh one travellin' bag an' suitcase and tek dat taxicab dey hain't nary wud f'um 'er. 'Deed, Missy, if dem grocerymans an' buchermans hain't know that Mistress

Co'nell pay fo' everything she get, ah don' know how ole Uncle Mose run dis hyah house alone by hisself. No, Missy Anne, ah ain't hud f'um de mistress."

"I was so anxious to get her address," said Anne disappointedly. She turned in the doorway. "Uncle Mose, I may run over every day to see if she's let you know anything. There is something of great importance, Uncle Mose, for which I must have her address as soon as possible."

She went down the brown-stone steps into the night again, no better off than when she had gone up them. Back she went to her room, and the first thing that greeted her eyes as she lighted the gas was the evening *News*, lying just as she had tossed it on the bed, with the help wanted ads. uppermost. And again she found herself fascinatedly perusing that leading ad. which advertised for twelve hundred men and boys with suitcases to work only a half-hour for 10 dollars.

Ten dollars! Why, only half of that amount would appease Mrs. Capsum's suddenly achieved thirst for money, and the other half, Anne knew, would carry her a week, at the expiration of which time Mrs. Cornell must surely have written either her or Uncle Mose. She needed 10 dollars as she had never needed 10 dollars before in her life.

First she went to the tiny closet of the room and peered in. They were there, the young man's suit and heavy woollen checked cap which had been left behind by some former lodger, and which Mrs. Capsum had asked Anne's permission to keep where it was hanging, blithely informing her that by that subterfuge she could legally charge the former roomer "fifty cents a week for storage" if not full rent of the room did she wish to be mean.

Anne took out the suit and examined it. The pockets were empty and the cap, she saw at a trial, would well cover her soft locks when they were neatly and tightly pinned to her head. The next step to fit herself out was the suitcase.

Downstairs she went and there she found Mrs. Capsum rocking away in her ill-kept, littered back-parlour, in company with two fat tom-cats, a parrot and seven goldfish.

"Mrs. Capsum," she said friendly, eagerly, "I think by perhaps noontime to-morrow I'll be able to fix you up upon the matter of money. First, however, could you loan me a suitcase to use in the morning?"

Mrs. Capsum's face looked a little less sour at the mention of money. "Yes, I think I can." She arose creakingly, and shook a warning forefinger. "But don't you lose it, young lady. It was left behind by a crabby old maid that had my third-floor front, an' I'm going to charge her fifty cents a week for storage."

From a rack out in the hall she pulled down a neat-looking suitcase of a rare colour as suitcases go—black—and with dustcloth, which hung on a nearby broom, dusted it off and opened it up. In spite of its rose-coloured cloth-lined interior Anne saw enough to know that it was paperoid—a clever imitation of expensive black leather, and she very much doubted that Mrs. Capsum would be able to collect many weeks' delinquent storage charges on it from its former "old maid" owner.

"What fer you need a suitcase?" asked that lady casually, as she flicked the dustcloth over it.

"For—for to do some work," said Anne.

"Goin' to try some canvassin', eh?" ventured Mrs. Capsum. She nodded her head approvingly. "A bright young girl like you could make good at canvassin', all right."

Anne, the black paperoid suitcase in hand, smiled back at her and ascended the battered-up stairway to her room once more. And there, now supplied with all the essentials for participation in this remarkable 10-dollar job, she proceeded to set her dollar alarm clock for 5.30 sharp in the morning, and began undressing.

When the alarm clock jangled in the grey dawn of the early morning, she was far from feeling rested. She dressed slowly, but this time she evolved into a young man, with slightly worn yet neat clothing which fitted her fairly well. Her long silky hair she pinned tightly to her head, and putting the soft woollen cap well down over it, found by gazing at her reflection in the mirror with half-closed eyes that she looked somewhat masculine, but she had to admit ruefully to herself that those pink cheeks, those red lips, and that soft white skin made a remarkably cherubic young man!

Empty suitcase in hand, clamped together by its brass fastenings, she peered out on the second floor landing before she made her hasty escape. The coast was clear. And drawing her door softly to behind her she flew down the

inner stairs, outside the main door, and on to Huron Street.

Once on the street she paused, panic-stricken. She would have given everything she had in the world to be back in her room—to be in feminine clothing once more; but a little girl passing her with a bagful of hot rolls, and a labouring man hurrying on to work in overalls with his pick and shovel over his shoulder, both giving her the merest glance on the nearly deserted street, reassured her.

So on she went, trying to walk briskly like a man, to Clark Street, where she boarded a car and made her way inside and dropped uneasily into an end seat. Irving Park Boulevard, she knew, was a long distance to the north, and North 60th Court was almost an equally interminable journey to the west. Transfer in her pocket, she rode the long distance northward, and long before the conductor called out Irving Park she noticed the car filling up with men of various ages carrying a dozen varieties of luggage from the old-fashioned grey telescope to rickety yellow valises.

It was when, transfer in hand, she was ascending the tiny old-fashioned Irving Park car which went far to the north-western outskirts of the city, that she became acquainted with the odd individual who was thereafter to be her self-constituted cavalier, whose keen laughing Irish eye was to pierce her slender disguise instantly.

Broad of shoulder, ungainly and big-jointed, his face as homely as the homeliest man she had ever seen, arms long, eyes an Irish sea-blue and one ear cauliflowered as though its owner had participated in a number of ring battles, he slid down into the end seat on the Irving Park car close to her.

"How far does it be to North 60th Court?" he asked her politely.

In as gruff a voice as she could muster, Anne replied: "A—a good ways out. I'm—I'm going there myself."

"An' so I t'ot, little lady," he said calmly, grinning a bit. "I t'ot so. Say"—he lowered his voice—"I knowed ye wur a gur-rl when I first spotted ye. 'Tis with ye I'm goin' to arn some of this easy money that's bein' paid out at the place mintoned in the paper?"

"Yes." She smiled radiantly at him. And as she looked at this young Irish plug-ugly whose eyes reflected only polite

admiration, she felt a strange sense of protection. "I'm trying to earn that 10 dollars—because—because I need it badly."

And that was how the conversation during the long ride to North 60th Court began, and long before she had finished she had learned that he was Mike McGann, a teamster, out on strike from the Patterson Coal Yards, unmarried, and sometimes known about the prize-fighting fields of Hammond, Indiana, as Battling Mike, and the Irish Terror. As the little yellow car rattled westward, the buildings grew fewer and farther apart on either side of the street; more empty lots greeted the eye; rail fences began to be common instead of oddities, and everywhere the earmarks of the outskirts were visible, and the air seemed clearer, fresher, cleaner, purer.

It was seven-fifteen in the morning by her new-found acquaintance's nickel-plated watch when the car stopped at North 60th Court and every man-jack on it piled out, Anne and the Irish youth the last of them all. There, on a grass-grown lot which was one of four making up the corner, the nearest house a full block away, was a huge striped tent big enough to contain an old-fashioned one-ring country circus. But unlike most circus tents there was not a line of advertising anywhere about it. Anne looked from the hurrying stream of men and boys with suitcases of all hues to her companion who stuck tight to her side. There was a fighting gleam in the Irishman's eye.

"Faith," he muttered, "miss, but I'll wallop somebody hard if this is any scheme f'r pullin' anny dollars out o' me pocket. Yez stick to me, little gur-rl, an' yez'll see some fighting if annybody thries to hang annything on Mike McGann."

An energetic-looking man with beady black eyes, stationed on a ticket-seller's raised platform at the one entrance of the tent, was operating a mechanical counter with one hand and cupping his lips with the other. He was saying in a loud voice: "All right. Pass in. Take your seats anywhere in the tent. You're goin' to see a show an' get well paid for seein' it. Take any seat. Pass in." And thus he droned and droned as the human contents of a new Irving Park car which had been running close behind the one on which Anne

had travelled came up and paused uncertainly near the opening of the tent.

Anne and the Irish Terror passed on in. Inside a buzz, like that which would come from a great hive of bees, showed Anne that many there must have been who had sat there since the early breaking of day lest they lose a chance to earn a wage which, for men of the calibre she had seen that morning, meant pay for three days' hard labour. Seats down in front near the arena were thickly covered, and jokes and catcalls were being bandied back and forth incessantly.

"'Tis a boonch o' roofnecks," commented the Irish Terror disapprovingly. "Better take me advice, miss, and we'll take a seat up here w're there's not so miny. I'm thinkin' we can see all we can see from here. Faith, an' did ye ever lamp so miny suitcases in yer life. There's green ones, yellow ones, or'nge ones—faith, iverything but a nice neat black one like yer own."

Making room for her suitcase at her feet, she looked about her. In the centre of the arena was a curious contrivance of painted wood. It consisted of a little platform built on a wooden tower which looked down upon the seats from far up near the top of the tent, and from this platform dropped a steep incline or track of wood, perhaps two feet wide, with a single black painted stripe running along its entire middle. On the platform lay a bicycle with frame made of thick heavy tubing gilded a bright silver, and the lower end of the inclined path which terminated abruptly some fifteen feet above the ground held a most impudent upward curve. At a level perhaps ten feet lower than the nose of this impudent curve was a broad wooden platform about twenty feet square, and separated from the end of the inclined path by a gap of at least ten yards. The whole structure seemed to be held taut by heavy steel guy wires. There was no artificial lighting in this tent, the only illumination coming down from the sky through great skylights of isinglass in the roof of the canvas, and this gave a weird effect to the whole interior.

At last, promptly at seven-thirty by Mike McGann's frequently consulted watch, the man in the doorway drew in his stool and motioned with his hand to the back of the arena where a great canvas curtain cut off what would ordinarily be the performers' part of the tent. A second later, from the

hidden regions back of the curtain, two men stepped forth, one a tall, cadaverous-looking individual with swallow-tail coat who looked like a travelling medicine show-doctor, the other a smaller, shorter and stockier individual of decided blond type, clad in pink tights topped by a pair of trunks of vivid red, white and blue, and spangled with gold stars. In the hands of the cadaverous-looking man was a huge black megaphone. At length he spoke, using the megaphone. His words came clear and distinct, with the drawn-out intonation of the old-time circus Barker.

"Gentlemen, you have been called here to-day for a peculiar piece of work which is to net each and every one of you the princely sum of 10 dollars for less than one half-hour of his time. Twelve hundred men were advertised for, and some thirteen hundred and twenty responded. Now each of you pass from the tent. On your way out you will receive a cheque for 10 dollars, signed in the lower right-hand corner. This cheque is not good until it is further countersigned on the dotted line at the end. The man who will countersign these cheques for each and every one of you is at Irving Park and Broadway, in a small real estate shack. This is the end of the car-line. In order to get your cheques countersigned you must have your street-car transfer with you. Now is it all clear? You must get your cheque countersigned before it is good. Show your transfer and your cheque to the man in the real estate shack at Irving Park and Broadway. He will do the rest. If you do not understand these instructions, they are printed on the cheque. Cash your cheque at the downtown bank or wherever you please."

He paused for breath, looking about him. Then he went on :

"And now, gentlemen, I have the pleasure of introducing to you Gus Chevalo, the most daring trick cyclist and gap jumper in the world, who has perfected for the first time in history the so-called double loopless loop-the-loop, in which he loses his neck if he fails. Two moving-picture machines, placed beneath the grandstand, are focused upon the space where Mr. Chevalo will perform his unparalleled feat. You thirteen hundred and twenty men constitute what is known in technical show circles as an audience. To any newspaper reporters scattered among this audience, I can only state that

no further details can be given out than have already been stated." He bowed slightly to the man at his side. "Gentlemen, I present Mr. Gus Chevalo, champion trick cyclist of the world."

From the hundreds of rough, uncouth specimens of masculinity assembled there arose a tornado of whistles and handclapping and shouts of approval. The Irishman at Anne's side leaned toward her, and together they fell to watching Gus Chevalo down in the arena.

The little man in his pink tights bowed for a full minute in every direction. Then he walked over to the base of the high wooden tower. Now the noises began to subside and some twenty-six hundred and forty eyes were trained upon this nervy daredevil.

Up a delicate rope ladder which was tied at intervals to the tower he went, and shortly reached the top. There he mounted the stocky bicycle which was lying there. He stood poised for a long dramatic minute on the tiny platform. He squinted appraisingly down the long inclined path, steadying with one foot the heavy bicycle with its enormous tires that he straddled. Then, almost before the audience could really catch its breath, he was off with the sharp cry of the trained circus performer.

The silence was suffocating as the rattle of the wheel down the long incline consumed its three or four seconds. At the bottom it gave a vicious turn upwards, and its rider could be seen to be violently pressed downward to the handlebars by the sudden change in the direction of the momentum. Then, like a bird, it flung itself into the air, a glittering mass of silvered steel, and like a great methodical machine it described two perfect and complete circles in space, man and wheel seeming to be mounted on a pivot about which they revolved slowly, and which itself travelled across the gap in a ponderous swing. And the bump as the rubber-tired bicycle struck the flat platform some distance away was followed by a deathly silence, which suddenly became rent by a veritable storm of handclapping and yelling.

"This way out! This way out!" the doortender was shouting. The canvas flaps of the main entrance had been flung open. Already something material, for two wooden ticket-selling booths had been drawn up there and on each



lay what appeared to be two great packages of blue paper slips.

Anne, the Irishman at her side, was held back for some time by the extreme congestion at the doorway. She could hear the men in either booth droning a formula, as they passed out a crisp blue slip to each of the members of the line that surged and pressed towards the door.

"Get your cheques countersigned at the corner o' Irving Park an' Broadway. Show y'r street-car transfer. If you ain't got no transfer you can't collect your money," was the continual cry of the original doortender, aided by the cadaverous-looking man who helped pass out the crisp blue cheques.

Anne getting hers, the Irishman elbowing a way for himself and her, passed out into the bright morning sunlight, and the two companions in the strange affair examined their cheques curiously. Each was a duplicate of the other, except for the serial number printed in the upper right-hand corner. Each had been specially printed, and on a coupon attached to the end, but perforated, were directions in fine type identical with those that had been given verbally through the megaphone. They were drawn to "Cash" on the First National Bank of Chicago, the word "Cash" being printed in red ink; they bore the printed date of that day—September 20—and were signed on the bottom: C. C. Cloyd. A dotted line at the end bore the italicized word "Countersigned," and the values, printed in on the cheques, were "Ten and no/100 Dollars."

"All I got to say," commented the Irish Terror a bit dubiously, "is I hope this 'ere bank's got enough coin to cash mine. Better come along, miss, and get aboard th' car and not take no chances. I'm goin' straight to the bank itself wid mine."

But when they reached the street-car line, they found a terrific congestion. Men were seated along the fence like crows, and the curbstone held them shoulder to shoulder. And they stood and saw car after car, at fifteen-minute intervals, filled up with hooting, shouting hoodlums, till at last the Irishman took her by the arm and drew her off far to one side.

"Listhen, little gur-rl," he whispered, "we c'd mebbe make it if it's somebody's nose I have to bash in. But 'tis strathegy—brain power—we'll be usin'. Now these here

doombells ayther be too doomb, else they be loafers an' have all day to waste—and they will hang here till they get a car. So let's you and me beat it up and over yon hill to the west—see thot great clock in thot tower peerin' over the idge?—thot's Dunning—the Booby Hatch—five minut's or less walk—where these cars shtarts out from. We'll get aboard there, and whin we come rollin' bhy here we'll have th' laff on this tearin', fightin' mob."

Which move Anne, being of the feminine persuasion, and having had no breakfast that morning in addition, only too gladly seconded, and together they were soon trudging westward toward the rise in the street and passing over its crest, where a cluster of houses down below marked the end of the line.

Mr. McGann proceeded to live up nobly to his glowing promise. Ensconced on the back platform where, as Mike explained, they would be the first off at Broadway and hence first to get their cheques countersigned, they held tight to the controller boxes or the sills of the open windows, as the car stopped on its way back at North 60th Court. Indeed, had they not held tight they would have been carried as flotsam in a turbulent stream, for a crowd of men swarmed in with such violence, thrusting their ready fares into the conductor's hand and calling "transfer" so fast that he couldn't ring up the fares. Thus, like leaves clinging to the protecting lee of a river bank, they managed to adhere to their fixed anchors on the platform. At length the stream filled the car to bursting capacity, until the conductor's final angry cry of "All full—no more—next car, please," and his pull at the bellcord sent the car off with an ugly jerk that threw one belated boarder flat on his face in the street amid the derisive jeers of his waiting companions back on the fence.

It was a merry crowd. It stepped on Anne's feet, it whistled and it sang. It rocked the car to the rhythm of its songs, those on the front platform co-ordinating with their unknown collaborators on the rear. One man's feet dangled from the roof where he had climbed. Human beings became as human sardines in a moving can! And everywhere was good feeling—the dangerously playful exuberance of crude spirits in each of whose possession reposed a cheque for ten golden dollars. Easy money! Easy money—for

doing practically nothing at all and showing a street-car transfer ! Only the Irish Terror's face at Anne's side showed a troubled mien ; it was plain that he was still convinced that the bank would never have funds enough to cash his cheque.

Yet in spite of the fact that Anne, by strategical methods, was at last safely ensconced in this human herd for a ride that would carry her straight to the essential point for counter-signing her cheque, and thence downtown to the bank, had one been on the street a few blocks east some ten minutes later, he might have seen a remarkably cherubic—indeed girlish—young man with flushed cheeks and full pink lips, from under whose woollen cap strayed a stray tendril of rather long hair, tramping along the lone sidewalks and occasionally transferring with a sigh a neat black suitcase from under one arm to the other. One might also have noted the determined look upon the cherubic young man's face which was fixed hard in the direction of Chicago's Broadway, a goodly, goodly distance for one afoot. And as it will be guessed, that cherubic young man was Anne—Anne who fancied not a ride in a street-car packed to the doors with ruffians and hooligans, yet in whose trustful mind reposed not the slightest doubt that a cheque drawn on a bank with such a formidable name as the First National must be good no matter how late it be cashed. But of Anne's 10 dollars cheque—and Anne herself—more anon, as they say !

## CHAPTER XVII

### AN AFFAIR BETWEEN TRAMPS

**S**HORT and undersized, even youthful, it was an unprepossessing tramp who dropped off a freight train in Winniston, Wisconsin, on the afternoon of Tuesday, September 20. His face was covered with a four-day growth of beard, and his clothes tattered and torn, the poor shoes gaping at the toes, the dirty flannel-shirt, all told the story of the creature who toils not nor does he spin.

That he had, somehow or some place, had something to drink which was stronger than water, was evident, for after dismounting from the freight train he swaggered up Main Street, twice lurching against inoffensive townspeople, and each time gently cursing them beneath his breath. But it was at the corner of Main and Narcissus where the real excitement occurred.

Old man Stansbury looked back at him, as he lurched along, hands in pockets, and said something to Charlie Winle who was approaching. The tramp seemed to hear the comment, for he turned on his heel and cursed old man Stansbury volubly. Old man Stansbury and Charlie Winle diplomatically dropped all further comment and turned away their faces, but the tramp picked up a brick which was lying near the curb. It was strange that he could not have aimed better with that missile, but as he raised it in hand it flew out sideways and almost on purpose—one might think—crashed through the window of the little ice-cream store kept by old Mrs. Cram.

With the rattle of falling glass, the tramp's liberty was ended. Amos Hipple, the blacksmith, ran from his shop almost simultaneously with Payvey, the bicycle repair man; and Carson, the sawmill foreman, who was going along Main

Street at this second with his empty dinner pail in his hand, joined in the fray. In fifteen seconds the tramp was pinioned to the ground, his arms held tight to his sides, and almost before he could get his breath, he was being marched to the office of old man Dorhum, the town constable.

He was a sullen, bitter tramp, for he cursed his captors fluently, and when the three men, followed by a group of overalled boys and townspeople, entered the constable's office, he held a sneering mien in the direction of old man Dorhum. His shrift in regards to his liberty was short. Hipple and Payvey told of the assault which had ended in disaster to old Mrs. Cram's window, the tramp was searched, a familiarly shaped flask that must not long since have contained liquor was unearthed on him, as well as eight cents in change, and old man Dorhum said with a glare :

"Lock this fellow up till morning. We'll see whether the peace of this town's going to be disturbed."

And thus it was that the tramp who just one hour before had dismounted from a freight in Winniston, a free and untrammelled traveller of the twin rails, was now marching without further ado toward the town lockup.

Mr. Samuel Viggman was sitting on the cot of his cell this bright afternoon ruminating and chewing on a toothpick. Things were quiet with Mr. Viggman, but he was not disturbed. He had received a letter from his attorney but three days before apprising him of the fact that matters in his case were being held at a standstill, and just now he was replacing in his coat pocket that piece of epistolary information which, although couched in slightly ambiguous terms, told him specifically enough that his interests had not been lost sight of by Crosby of Chicago. It ran :

DEAR SIR,—

I was unable to make the trip discussed between us on the day I last saw you on account of the unexpected press of other business coming up for me. I did, however, on my later return to Chicago, make a special night trip to St. Paul, but unfortunately with no opportunity to put into execution my plans, due to the fact that both parties are ill and the one party in particular who would have to be seen cannot be seen at all just now. I shall explain this further at a later

date. The very first minute, however, that conditions allow me to complete my assurance to you, I shall do my utmost to live up to my promises.

Very truly yours,  
DAVID CROSBY.

Mr. Samuel Viggman had no quarrel to pick with his attorney's handling of the mess in which he had precipitated himself. He was quite satisfied to let matters run as they were now running. From the casual remark let drop by one of the several detective agency men who had come down from St. Paul to look him over, he could interpret quite well the veiled statements in Crosby's business-like letter: namely, that the young Rosecrantz boy who had been a witness to the hold-up of his father had been taken down suddenly with scarlet fever, and the father was still in his bed at Bethesda Hospital. Thus matters were to some extent deadlocked just for the present. But Crosby of Chicago was square, and he, Viggman, was safe and sound—and better, protected from the brutal fists and cunning methods employed by such detective agencies as the Considine agency of St. Paul. He could well afford to remain here for the balance of the sixty days of his sentence, after which he would march away a free man, no more to dabble in any big time stuff.

He looked up surprised as a commotion in the outer corridor resulted in the ushering into his barred enclosure of a short tramp dressed not greatly unlike himself, with whisker-covered face, and ragged clothes, yet with firm white even teeth, who reeled drunkenly and cursed at the top of his voice as he was locked into the one completed cell of the town's three. For a few moments four indignant faces stared in through the bars at the newly deposited prisoner, and then four pairs of feet receded down the corridor. Viggman found himself alone with the new tramp.

"What you in f'r, frien'?" he asked in a companionable tone of voice.

The only answer of the new tramp was preceded by a grunt. "Hell," he rumbled, "what sort of a joint is this here town? Couple o' rubens tried t' rubber at me on the main stem an' I up an' heaved a brick at 'em and put through a light."

Mr. Samuel Viggman, with that calm superiority which comes when one has been the guest of a place long enough to know something of its customs, smiled.

"It's sixty days f'r you, brother," he assured the other softly. "That's what they handed me."

"Sixty days—hell," snorted the other. "I'll say I'll never serve no sixty days." He looked about the cell. "Hmph! didn't know this here burg even had a lockup." He glanced ruefully down at himself and staggered a bit. "That's w'at I get f'r swizzlin' down too much rotgut. Robbed a cellar up north a couple hunderd mile or so the other night with two other boes, and pinched a whole wad o' booze. Been stiff f'r t'ree days an' nights." He subsided into silence.

"Where y' from?" queried Viggman. This was the first companion he had had for a week or so with whom he could talk.

"St. Paul," grunted the new occupant.

"St. Paul?" repeated Viggman. "Oh—St. Paul." He rose, walked about a few steps and yawned.

There was silence, while the new tramp stretched himself out luxuriously on Viggman's cot, leaving the latter, presumably, the floor space upon which to lie. But although the new man was the smaller of the two, there was in him a half-concealed, tiger-like ferocity, and Viggman decided in short order to pick no quarrels as to cot proprietorship in this little eight by ten space.

"How's biz in St. Paul?" he inquired genially, instead. "That's where I've hung out a bit."

"Yeah?" said the other uninterestedly, feeling about in his pockets and extracting therefrom first a few grains of dirty tobacco and later an equally dirty cigarette paper from which he deftly rolled a cigarette. "The town's on the bum. Ever since that diamon' dealer that was shot in the Ryan Buildin' died, they been cleanin' up the town o' boes an' grifters to beat hell. I pulled out." He dug up a half a match and lighting his cigarette blew the smoke through his nostrils.

But Viggman saw not the other's performance, nor did he envy him. His breath was coming shorter and shorter. Dead! The diamond dealer dead! Rosecrantz dead!

He—Viggman—the murderer. The boy could identify him, even though the father was gone. He rose unsteadily from the seat he had taken up on the floor, and mopped off his forehead from which the sweat had sprung in great beads. He swallowed in gulps. He managed somehow to find his voice.

"Say—say—frien'," he articulated with great difficulty, "you—you say that there diamon' dealer croaked in St. Paul? Rosecrantz—you mean Rosecrantz?"

The other tramp was blowing fine wreaths of cigarette smoke into the air, through his nose. "Rosecrantz? Yep—that's the guy. The feller who got stuck up a week ago." He blew a circle of smoke. "But what's it to you'n me, anyway? The thing now is to figger some way t' get outa this joint." He tossed his butt on the cement floor and rolled over and fell promptly asleep with his face against the wall, while Sammy Viggman, white with terror, sick at the pit of his stomach, sank gracefully down to the floor from the weakness and panic that had collected in his knees.

How he lived through the next few hours, he was never to be able to remember afterward. When six o'clock came, and two mugs of tea and two tin-plates of beans and bacon were shoved through the bars of the cell, he left his untasted on the floor. The other tramp gobbled his up with great gusto, and then came over and calmly took possession of Sammy Viggman's, with a half-pleased comment that "cherries an' little girls in tights as good as a private set-down, I'll say." But Viggman didn't hear the complimentary comment on Winniston's penal fare, he found himself already half-choking for air.

It was eleven o'clock that night by the town hall bell as he lay staring from his couch on the floor—his cot had been completely taken over by the new tramp—that he saw the other man arise with a creaking noise from the cheap springs, and come over to where he was lying. "Y' sleep, cull?"

"No," Viggman managed hoarsely to articulate.

The other grunted. "Now, damn ye," he whispered, "I'm a goin' t' give you a tip. One peep outen y'r mout', you gay cat, an' I'll make beef outen you. I'll beat your teet' down y'r t'roat. D' you hear me?"

"Y-y-yes. I—I—I—hear you," chattered Viggman. He



wished he could be beaten painlessly into unconsciousness now.

But terror-fraught as he was at his own predicament, he could not help but watch the other tramp. The latter removed his coat. Tearing at both of the shoulders his fingers emerged in the moonlight, once, twice, each time holding a fine-tempered steel-file, flat instead of triangular, and perhaps four inches in length. "Not a peep outen you," he warned, with a backward look. And he fell to working at the bars of the cell window.

Viggman was at his shoulder. "Cull, le' me—le' me help you. For God—gi' me one of them files. You're all right. I knowed you was a Johnny yegg when I first spotted you. I knowed ya wasn't no reg'lar bo. For God—le' me—le' me out o' this hole with you."

The other surveyed him in the moonlight with a marked degree of suspicion in his attitude. Then he thrust into Viggman's hand one of the two flat files. "Then fall to," he ordered in a low voice. "We can go t'rough 'em by midnight."

Viggman worked as he had never worked before in his life, the sweat pouring from his forehead and dripping down off of his chin. The little machined blades, as they were, propelled backward and forward by two pairs of muscular arms, cut though the iron like little demons. It was close upon one o'clock instead of midnight when the three bars were removed and the smaller man stood back. "No monkey business, you," he warned menacingly. "Out you go ahead o' me. If th' coast is clear let me know. And no foolin'."

Sammy Viggman clambered up on the front end of his former cot, and feverishly gazed out of the hole. The coast was indeed clear. The moon had dropped back of the town hall, and profound darkness was about the lockup. Out he went, therefore, and wriggling clumsily over the stone sill dropped to the ground. But he waited till his new-found friend had followed him. Then the two struck off across a wide patch of weeds toward the railroad tracks.

Viggman had but one idea—to make a freight out that night, to ride far enough to leave Winniston well behind him, to make the cover of a wood, to starve, thirst, die if needs be, before going back to the noose in St. Paul. But for the

present he stuck to his new-found friend, who could be counted upon to get out of that town just as quickly as he, Viggman, wanted to do.

So down the tracks the two men hurried, Viggman a few feet in the lead. Once he stumbled over a tie and fell sprawling on all fours and the other called to him.

"Easy, friend," he warned. "Don't take it in sech a hurry. I know a jungle down the tracks a mile—an' a grade w're we'll make th' first rattler out to-night. Don't git so excited."

Viggman clambered awkwardly to his feet, and pressed on in the light from the low moon. But as they turned a sharp bend in the railroad a strange thing happened. From the bushes to the left and right of the tracks two men stepped out, one from each side, and even as they did so, Viggman, with a sharp intake of his breath, caught sight of the lines of a huge touring car standing forty feet away on the road-way in the gloom of some trees. He turned like an arrow to flee back the way he had come, but to his utter amazement his new-found friend rushed forward, fastened his arms about him, and pinioned him so that he could not move.

"Classy work, Dick," Viggman heard one of his captors say to the tramp who had delivered him from the Winniston lockup. "The old man'll be tickled stiff. Now out of the State with him and into St. Paul."

In a jiffy Viggman was whisked into the waiting automobile, his wrists shackled together by bright steel handcuffs, and sixty seconds later they were purring westward along a broad highway at a terrific clip. As for Viggman's thoughts, they were chaotic—and yet clear. The whole escape had been a carefully contrived job set in motion by the 10,000-dollar reward offered for his capture. And he had fallen, neatly, blindly.

They crossed the Mississippi river into Minnesota at about three-thirty in the morning, and it was barely dawn when after a further terrific ride over hills and valleys and past innumerable small towns they bowled into the outskirts of St. Paul. The machine stopped a little distance in from the outskirts of the city, and Viggman, in a dull stupor of recrimination, was conscious that the detective who had enticed him out of the Winniston lockup was slipping out of the machine.

Then it sprung forward again, leaving the other waving a gleeful hand in the rear, and did not stop again until it drew up in a high narrow alleyway in the business section, at the side entrance of what must be an office or business building. Morning had not even fully come yet, for Viggman whisked through corridors and up in a freight elevator, found the hall empty and dark; and only one room was ablaze with electric light.

Through the door of this room he was rudely thrust, and then jammed down into a straight wooden chair. In a swivel chair in front of him sat a huge beefy man with jet-black hair. His eyes were blue-black, hard, cold, pitiless, and black wiry eyelashes gave to them a piratical appearance. A close-cropped black moustache overtopped a thin upper lip, and about the face was a leering, brutal expression that boded no good.

"Well, Mr. Considine, here he is," one of Viggman's two captors was saying. "Picked him up forty miles out of St. Paul—in the State of Minnesota. It'll not be a bad job for the Considine agency, eh, Chief?"

"I'll say so," said the big man in a cruel voice. "A mighty good job, Hendrix."

He raised himself from the chair and locked the door of the room. The two detectives stripped off their coats and rolled up their sleeves. Viggman's face blanched. The big man laid his own coat slowly across the back of the swivel chair and rolled up the sleeves from a pair of mighty muscular arms.

"Now, you son of a mule," he roared, thrusting his face within an inch of the twitching countenance of Viggman, "where's those hocks you got in that stickup?"

Viggman opened his mouth. His words were feeble. "Me—I—I don't know nothin' about 'em. I ain't——"

Smash! Smash! His features were being rapidly battered into a pulp. He felt the terrific oxlike blows catapulting against his nose, his cheekbones, his lips, his eyes, his chin. His hands went to his bleeding nose, his closing eyes, and his knees caved in beneath him.

"God, Chief!" he screamed, "lay off o' me! Lay off o' me. I'll tell you—I'll tell you—anything—anything you want to know!"

## CHAPTER XVIII

### THE MAN FROM LIVERPOOL

THE second trial of a man for murder is usually, so far as public interest and attendance go, what corresponds in circles theatrical to a "frost." But just as there are exceptions to every rule of play production, there are exceptions even to this law of murder trials. And that there would be an exception can readily be imagined when one considers such a factor as the breaking between two such trials of the surprising news that on the verdict of twelve men hangs the accused's inheritance of a half-million dollars. And thus stood matters in the case of Archibald Chalmers. These faithful fans who once again sat themselves down in their former seats in Judge Lockhart's court-room could not know that in this coming trial they were to be treated not to a dull repetition of the previous evidence, but to a bitter and almost vindictive throwing in of brand-new witnesses whose surprising and unexpected testimony would help send the case to the jury by eleven o'clock the following morning.

It was Thursday, September 22, when the second trial opened. Crosby, seated next the defendant, found himself pondering uneasily at the smiling, confident face of Rudolph Ballmeier, whose blue-bow tie once more proclaimed to the world that he would hang Archibald Chalmers on this, his last, case before retiring from office to engage in private practice. The newly sworn-in jury sat stiff and uncomfortable in its box, and from the widely varying psychological maps there depicted Crosby's eyes wandered to the prisoner who sat at his side, dressed more quietly than at any of his former appearances in court, with face a little more deep, more grim, more manly than before. From here Crosby's eyes wandered for the dozenth time to the front row of spectators.

There she was again : the veiled woman of last April, dressed this time not in furs, but in a light summery silk, still sitting slightly apart at the seat on the aisle, her head barely inclined forward in the position she had held all through the dull picking of the jury. And more than ever Crosby wondered who and what in that trial she was interested in.

Ballmeier's initial speech to the jury was almost identical with that he had made in April, and Crosby's address was even more brief and pungent than the one he had then delivered. These preliminaries over, Ballmeier stood up, and taking from his portfolio what appeared to be a sheaf of yellow telegrams, addressed himself to the judge.

"Your honour," were his words, "in view of the fact that you presided at the former trial of this man, you may recall the remarkable and puzzling fidelity with which two of his alibi witnesses—Oscar Okerburg, his valet, and Mrs. Morely, his housekeeper—were able to maintain a certain story as to his whereabouts at ten o'clock, January 21, the night Rupert van Slyke was killed in the library of his home on North Oakley Avenue, even to the point of answering fifty questions specially prepared by myself, one of the two witnesses being out of the hearing of the other. At that time, due to the fact that the prosecution had indubitably proved by one Mr. John Carrington, a reputable manufacturer of this city, that this man Chalmers was out on Western Avenue, a block from the van Slyke home that night and not in his rooms, I was puzzled, bewildered to the extreme, by what I considered a most cunning example of perjury-coaching. We know that one witness in cases at law can tell a perjured story and get away with it, but that two seldom, if ever, can do this. Yet these two managed to do it. How? I am pleased to say that I have unearthed the explanation and will present it in this trial; namely, that these two witnesses did not fabricate a single word of their story, but by mutual agreement suppressed one small fact which enabled their stories to tally in spite of all my efforts to break them. But of this you will learn more when I place upon the stand my first witness.

"This, in turn, brings me to the matter of this Mr. John Carrington, whose testimony alone should have hung Archibald Chalmers at that last trial if not checkmated by Chalmers'

alibi in which I believe his valet and his housekeeper believed implicitly, in spite of their suppression of a certain fact. Now, with your honour's permission, I shall read aloud two telegrams which will convince any man in this room that fraud, conspiracy, criminality—and now I believe murder itself—has been resorted to to free that man sitting over there in the defendant's box."

His honour stared down at Ballmeier, and Crosby, tense, on guard, leaned forward in his own chair so as not to lose a word of what was coming.

"State your facts, Mr. Ballmeier," ordered Lockhart.

"Well, your honour, I have seen this Mr. John Carrington, whose testimony has been so vital to the State, on and off throughout the summer, and each time have been assured by him that he would be present on the opening day of the trial-proper to repeat the testimony he then gave, and which could not be shaken by the defence in its full half-day's grilling. I now read to you, and propose to offer as an actual exhibit, the following telegram purporting to be from Carrington, and received by me at my offices yesterday noon."

Ballmeier cleared his throat and fastening his gaze upon one of the telegrams in his hand, proceeded to read it aloud:

RUDOLPH BALLMEIER, Asst. State's Attorney.

Have left for New York City on unexpected business trip, but expect to be back in Chicago on Friday morning or Monday morning at latest to testify if called in Chalmers case.

JOHN CARRINGTON,  
Hotel Knickerbocker.

Ballmeier looked up and gazed about him. "The telegram with its address of Hotel Knickerbocker," he stated, "was sent from the telegraph office in the Knickerbocker Hotel. I called up Mr. Carrington's daughter at their home on 4,062 Parkside Avenue to ask her if we could anticipate his prompt return, but she could give me no information other than that he had telegraphed her from the depot that he was unexpectedly called to the East."

"Do I understand from this," asked Judge Lockhart, "that you expect an adjournment of the case after the jury

is picked, sworn in, and your opening address has been made?"

Rudolph Ballmeier shook his stocky head. "No, indeed, your honour. I shall proceed with the trial without any of my former witnesses if necessary. But this is what I wish to relate"—he turned to the jurymen—"and to you gentlemen also. Last evening I had what we commonly call a hunch that this telegram might not have come from John Carrington at all, and so I telegraphed him at the Hotel Knickerbocker with a paid reply. Their answer showed that no such person by that name was or had been registered there. I immediately got off a lengthy wire to the New York State's attorney's office which is indebted to this office in several ways, asking that an immediate search be made of all New York and Brooklyn hotels, as well as even hospitals. This was their reply which arrived this morning."

Ballmeier raised up a second telegram and read off:

Complete examination of all hotel registers in New York and Brooklyn made by patrolmen as per your request. No John Carrington registered during past week. Same all hospitals. No unidentified persons this description.

New York State's Attorney's Office.

Ballmeier looked up. "There, your honour, is the situation in a nutshell. The State's principal witness has been spirited off, and I shall not be surprised to learn ultimately that there is murder again in this case."

He sat down.

Crosby was on his feet instantly. His tone was scornful. "I object to all this alleged telegraphic testimony of which the attorney for the State is making so much. I do not wish to question the authenticity of the telegrams he has received, but he overlooks the fact that the movements of his very valuable witness may perhaps be guided by motives of privacy. There is something for the honourable State to think about. Just because its principal mainstay for hanging an innocent man fails to show up at this trial, it strikes me that rather sensational tactics are being used on the State's part in attempting to show conspiracy out of it, and in using the word murder in connection with it."

Judge Lockhart pondered.

"I agree with Mr. Crosby," he pronounced at length. "These telegrams of yours, Mr. Ballmeier, have no direct bearing on this case. If Mr. Carrington were abducted or murdered, as you suggest, they would be testimony, but in another case entirely. Therefore I will rule them out of the records of this trial." He nodded to the court stenographer.

And thus ended a little flurry with the prosecutor both a problematical winner and a dubious loser. But his confident smile never faded from his round face.

He arose. "Then this being disposed of for the time being," he said sneeringly, "the State will call its first witness." He turned to a bailiff. "Bring in Harry Bronson."

A stir in the court, and everybody's eyes followed the movement of the bailiff, who went into a tiny room off the balustraded portion of the court-room and presently reappeared, at his heels walking a young fellow of medium build, poorly dressed, with ragged shoes, ruddy healthy complexion, blue eyes, and, although he did not resemble Archibald Chalmers at all, a head appeared with the flaming red-hair of the same shade and intensity as that of the prisoner. But, unlike the young society man who had spent his last three months under a jail ruling which prescribed "jail barber or none at all," and who, as a result, presented a shaggy red mane, this young drifter of the streets, as he appeared to be, was carefully shaved, neatly barbered, his red-hair cut cleanly by means of the clippers about his neck and ears.

"What is your name?" asked Ballmeier.

"'Arry Bronson," was the witness's reply, with the accent of a Cockney Englishman. "But sometimes they calls me Red Bronson."

"Your home?"

"Me 'ome is Liverpool, England, but I've been in this country for a couple o' years."

"Will you look at the defendant sitting over there at that table and state if you have ever seen him before?"

The witness's bright blue eyes wandered casually over Archibald Chalmers' form, and then travelled back to the prosecutor.

"I 'ave, sir."



"Will you tell the jury in your own words where you first met this man, and what relations you had with him?"

Whereupon Ballmeier turned around, and facing Chalmers and Crosby looked down at them with a peculiarly pitying, almost regretful look on his face, half shaking his head. That was something that Ballmeier had never done in that first trial, and Crosby realized that it had but one significance. It meant that Ballmeier knew at last he was tightening the straps that were to fasten a human being in the electric chair, and that even his own hardened professional self hated such an occupation.

## CHAPTER XIX

### IN AND OUT OF THE DOOR

AS the man who was to deliver this damning testimony began his story, told in his Cockney dialect, a sudden stillness fell upon the whole court-room. As for Crosby, he turned his head and lowered it close to Chalmers.

"Know this fellow on the stand?" he asked hastily and in a low voice.

Chalmers turned his face to that of his attorney. In his eyes was stark, staring despair. "I'm—I'm done for," he said in a half-choked whisper. "They've—they've got him—and I thought he was in Liverpool." Then he closed his lips on his teeth in a tight hard line, and over his face came the look of the animal who is brought to bay by a pack of dogs.

Crosby gave but one fleeting look at the face of his client. His own thoughts for a second were chaotic. Then, as the man on the stand began to speak, he seized his pencil and notebook and began taking rapid shorthand notes of this new development against his case.

"I first meets Mister Chalmers," Bronson began, addressing the jury as though trained by the prosecutor how to deliver his testimony, "down on Lodgin' Ouse row, West Madison Street, Chicago. I'm sittin' one night in January in the Johnny Bull Ouse, a flop wot catches th' Canadian an' English sailors off th' lyke steamers, wishin' I could get back to Liverpool, and regrettin' the d'y I come over on a freighter to this country. While I'm ponderin' on w'ether to strike west and go to work in the Hamerican mines, I seen 'im come in the door, an' size up every one o' th' 'oboes an' sailors careful-like that was sittin' around the plyce. W'en 'is eyes lights on me, 'e seems to str'ighten up like 'e 'as an idea. Str'ight over 'e comes and gets into a conversytion with me. I

thinks 'e were some sort o' uplifter, wantin' me to be a mission bloke or so'thin', but 'e tells me 'e's a man that wants to 'elp the down-and-houter. He awks me what could be done to better me condition, an' I says that before Gawd all I wants is a ticket back to N'York an' Liverpool, and I've seen enough o' this country f'r all time.

"That seems to intrest 'im," continued Red Bronson, "and as I learns afterward, that was w'y 'e went to the Johnny Bull 'Ouse, knowin' he'd be sure to find plenty of 'omesick Britishers there any time. Anyw'y, he awks me to come hout with 'im and 'ave a talk; says m'bye 'e'll put me into a w'y to myke some money and reach Liverpool again; so out we goes, gets a taxicab, and up town to a decent 'otel, w'ere 'e p'ys for a room and 'as a dinner sent up.

"We talks f'r a long time that night, and I sort o' tykes to the man, m'bye because 'e knows old England, and even though 'e were a toff like. I sees 'e 'as somepin on 'is mind—some sorta proposition 'e wants to spring, but instead 'e spends most of 'is time pumpin' me about meself. An' that night he parts with me, leavin' me arf a crown in Hamerican money and tellin' me 'e wants to see me again the next night."

Bronson mopped off his forehead and gazed about him. His speech was painful work to him as could easily be seen.

"So as 'e says, 'e comes to my room again next night, and this time 'e puts 'is proposition hinto words. 'E says: 'Bronson, I was lookin' f'r a bloke like you las' night w'en I strolled into th' Johnny Bull 'Ouse. An' I think you're the man that can do somethin' f'r me that'll be easy money for you, an' land you 'ome in Liverpool in six d'ys with a good piece of money in your pocket—money w'at you can't myke in a year. An' the reason, Bronson, is that you got 'air the colour and shyde o' mine, heyes the syme bright blue as mine, you're my 'eight within a hinch and about th' syme w'ight an' build.'

"I'm curious at that," Bronson explained naively, "but give 'im a chawnce to spring 'is proposition, he sorta bein' frightened like, lest 'e have the wrong bloke, don't ye know. So pretty soon, hout comes the proposition, point-blank. 'E wanted me to tyke 'is plyce in 'is rooms for some two hours on th' night o' January 21 to 'elp 'im myke w'at they call a halibi, seein' as 'e 'ad a little personal job 'e 'ad to pull

off in 'igh society life. And 'ere was the conditions that was to 'elp us for to work it.

"As a lad 'e'd seen service in th' British Army durin' th' last six months o' the Big Fuss. Seems, 'e sez, that a couple o' weeks before the Armistice, when we all goes back to Blighty, 'e got a stunnin' rap on the cheekbone with a piece o' shrapnel, wot 'it th' nerve, yet never even cut th' skin—a bloomin' doc'd know more'n me about wot took plyce. For months in Blighty 'is fyce was paralysed on one side—then it gets all right again. But a few months before all this wot I'm a-tellin' 'appened, 'e'd begun to note that towards afternoon every d'y the muscles on one side of 'is fyce was saggin' bad, an' off 'e goes to a nerve doc. 'It's that nerve callin' for 'elp,' sez th' doc, 'an' f'r six months I'm gying to myke you wear a rubber fyce mask—a regular complexion mask—from the time you gets 'ome in the evening till th' time you goes aw'y in the mornin'."

"Well," Bronson continued, "Mr. Chalmers didn't like it, but 'e followed orders. And there 'e was, comin' 'ome early every night, massagin' them cheek muscles on th' right side, puttin' on some solution th' doc giv' 'im wot'd draw up th' muscles of his fyce tight an' snug, and puttin' on one of them complexion masks—they thin rubber fyce masks you sees in beauty parlours, wot 'as 'oles for the heyes, 'oles for the norstrils, an' a slit f'r the mouth. 'E'd wear it all night while 'e slept, an' w'en 'e 'ad it on, all you could see was 'is blue eyes lookin' through the heye-'oles, 'is for'ead and his red hair habove. And that, together with th' fact 'e wasn't supposed to do no talkin' w'en 'e 'ad it on, was th' backbone o' his scheme."

"Now," Bronson continued, "it seems furthermore 'e lived with a valay and a 'ousekeeper in a flat. The flat were in a new bachelor buildin' that 'ad a peculiar sort o' closets hoff the masters' bedrooms, with swingin' casement doors w'at opened on the rear courts. But it seems that the firescape—the back firescape w'at connected Mr. Chalmers' flat with the one below and the two habove—run right past these 'ere casement doors to the closets. And it seems likewise that the flat beneath 'is was vacated. An' these two fac's bein' so, 'e'd constructed a plan after a good deal o' thinkin' by w'ich 'e'd be able to pull hoff 'is 'igh-life job—a job o' burglary,

it was—w'ich 'e outlined to the last detail, offerin' me 500 dollars in Hamerican gold, a ticket to Philadelphia and a passage to Liverpool if I'd 'elp 'im pl'y the gyme through.

"Some years back, so 'e says, 'e'd been mighty good friends with some high-life chap—a toff by the nyme o' van Slyke—so much so that w'en they was out of college they heven went around the world together. Now they was on the houts, ready to fly at each other's throats, account o' some private matters 'e wouldn't explain. This toff, this 'ere van Slyke, 'ad somethin' that Mr. Chalmers wanted; somethin' o' no value hexcept to certain people—no money or nothing. But the toff wouldn't give it up, an' worse was goin' to do something with it—well, I couldn't get it clear in me 'ead, because Mr. Chalmers wouldn't explain the details. Anyway, Mr. Chalmers 'ad a pretty good idea—in fact 'e knew—that this 'igh-life chap, van Slyke, kept this thing in a big Chineese syfe in 'is library, a 'eavy wooden thing w'at 'e'd bought in an old curiosity shop hin Canton years before when they two was tourin' the world, a thing made o' 'eavy teakwood an' tougher than hiron. And as Mr. Chalmers says, 'e knew this van Slyke kept all 'is pypers an' valybles in this 'ere Chineese syfe.

"'But,' say Hi, 'grantin' that you can get hup to this bloke's library by the helm tree in the rear, an' grantin' that 'e keeps that window always up a few hinchies, and grantin' that this toff van Slyke is goin' to tyke part in a pl'y on the North Shore the night o' the twenty-first, 'ow is this goin' to let you hint o' 'is Chineese syfe?'

"And that there was th' joke, Mr. Chalmers says. Seems that this 'ere Chineese syfe 'ad a Chineese combination lock—not one o' these 'ere sets o' dials, but somethin' like a Chinky would invent. It consisted o' three hivory draw-sticks with ten marks an' Chinky characters on each one, wot you 'as to pull hout each on its mark all together before th' syfe door will open."

At this juncture Ballmeier raised his pudgy hand as a signal for Bronson to cease for a moment. The prosecutor addressed himself to the judge. "I now wish, your honour, to enter as the first exhibit for the State the precise Chinese safe, a genuine 'Cheng' antique, it is authoritatively said,

from the workshop of Cheng Lo Tsang of Canton, China, and a couple of centuries old. This is the curio which belonged to Rupert van Slyke, and which with all his other possessions, personal and otherwise, passed on to his cousin by adoption, Mr. Leslie van Slyke, at his death. It has been completely cleared of Mr. Leslie van Slyke's personal belongings and locked by him, in order that my test here with Mr. Bronson may be made." Ballmeier nodded to the clerk of the court. "All right, clerk."

It was evident that the State was going to resort to some definite action, rather than hearsay, to further substantiate the damning story being told by this red-haired dock labourer. And the ponderous strong-box, mounted on a small piano mover's platform which in turn rode on rubber-tired ball-bearing castors, that the clerk, aided by a husky bailiff, proceeded to wheel in from the chamber adjoining his desk, furthered this supposition. Slowly the two men guided the heavy antique on its rolling platform around the clerk's desk and in front thereof, where they placed it so that it would indeed be an exhibit which every eye in the court-room could see. Protruding from the stout frame of wood surrounding the door, and just to the left of where a lock normally appears on modern safes, were three heavy ivory drawsticks, each about an inch and a half in height, each with a hole in its outer end, and all suggesting somehow the slide rules which draughtsmen use, except that the graduations were marked by brilliant red Chinese characters instead of logarithmic decimals. The door itself carried a great dragon, partly hand-carved and partly made of simple inlays, even to its long scaly tail.

The top, as well as the bottom, of the old strong-box was obviously a single square block of solid wood, six inches thick, and the two blocks might easily have been hewn from the circular cross-section of some ancient tree, ancient even centuries back when the thing was fashioned. These solid bulwarks appeared to be joined to each other by four vertical columns between which ran thick wooden walls. On each side of the solid top and bottom had been carved a humorous dragon's face, with eyes of inlaid coloured stone and round, cylindrical noses which, gargoyle-like, stood out pugnaciously as though defying entrance.

Ballmeier now turned to his witness.

"Have you ever seen this thing before, Bronson?"

"Never," said Bronson.

"But you've heard the defendant in this murder case describe it?"

"Yes, sir."

"I wish you now, Bronson, for the benefit of the court, actually to follow the precise line of action which the defendant described in confidence to you, and to substantiate the facts which you are relating here to-day."

With which order Bronson rose sheepishly, climbed down out of the witness-box, and stepped somewhat diffidently across the space in front of the reporters' and the lawyers' table to the powerful safe. Feeling gingerly, yet with a surety born of actual description, he crooked his finger in the hole of the ivory drawstick at the top and drew it forth, counting out loud from A to J, as each graduation came into view. The next stick he drew out only until its first graduation became visible, and this he lined up with the edges of the slot in which it operated. The lower stick he drew forth again, counting out loud, "A—B—C—D—E—F—G—" And even as the Chinese character came into line, the door, with a loud click, pressed out against his knee as he stooped. And, as he rose to his feet and stood aside, the door swung entirely forth, revealing an empty cabinet whose back and sides, together with the powerful carved blocks comprising the top and bottom, presented an open repository whose interior could be seen to be decorated something like the front, with weird birds in addition—birds whose like were never to be found on land or sea. Red Bronson looked about him. Then with an undecided glance at the prosecutor, he thrust in the drawsticks and swung the door to. A loud click—and the safe once more presented a closed locked box. Ballmeier nodded towards the witness-box. Bronson returned to it and climbed back into the chair.

"You may now finish your testimony," said the prosecutor calmly.

"Well," said Bronson apologetically, "there Mr. Chalmers was. 'E knew th' combination o' them sticks, bein' as 'ow 'e 'imself 'ad first suggested to van Slyke turnin' it into English letters. An' van Slyke knew that Mr. Chalmers was the

only person in Chicago—m'ylbe even America—'oo knew th' key. It's plain if van Slyke come back from tykin' 'is part in the pl'y and found that thing gone what 'e knew Chalmers was tryin' to get, 'e would raise some commotion and accuse Chalmers o' enterin' 'is rooms—probably 'ave 'im arrested. So Mr. Chalmers wanted to be ible to account f'r every minute of 'is time durin' the few d'ys before an' after 'e did this thing, particularly th' night w'en van Slyke was tykin' 'is part in the pl'y on the North Shore. 'E wanted 'is lawyers to be ible to stop van Slyke if 'e started anything in the police courts. And that was w'y 'e needed a halibi from nine to eleven the night o' the twenty-first. 'E——"

"Excuse me for interrupting your story, Mr. Bronson," interrupted Ballmeier from his place at the lawyers' table, "but before going on to the events of the night of the twenty-first, will you mention your discussion with Mr. Chalmers as to why he couldn't find an actual facial double who could take his place in his rooms that night?"

"Yes," said the red-haired witness, "I awsked 'im w'y 'e couldn't locate a double. Sez 'e: 'Doubles don't grow on hevery bush, my man. But so far as your question goes, Hi actually 'ave got a double in this city, a young fellow by th' nyme o' Jordan Jones. But 'e's me double honly in th' fyce an' figger; 'is 'air ain't red like mine—it's as black as coal! 'E's a former soldier, an' 'e lost 'is foot over in the Argonne forest. 'E's a clerk in the post orfice 'ere, and right now 'e's in the Garfield Park 'orspital recoverin' from an hoperation f'r appendicitis.'"

Bronson paused a minute, and at a slight nod from the State's lawyer went on with his story.

"I sees Mr. Chalmers several times more, workin' out every detail of our simple little plan. The last d'y—the d'y before the twenty-first, 'e brings me an electric pocket lantern, a nickel plyted watch, a diagram o' the hempty flat beneath 'is flat, an' a key to the front door o' that flat what 'e'd 'ad myde on the sly from the janitor's key, w'ich syme 'e borrowed. Promptly at eight o'clock th' night o' the twenty-first I lets meself into the flat, with a bundle 'e'd give me containin' a brown an' green wool bathrobe, a pair o' green silk pyjamas, a rubber fyce mask, a pair o' red an' purple felt slippers an' a box o' special fags such as 'e smokes. I examines the



swingin' casement doors o' the closet hoff the bedroom, notin' as 'ow they locks an' unlocks from the inside. I finds in the closet a 'ole outfit o' togs even to an overcoat, w'ich syme I knew Mr. Chalmers 'ad 'ung there that d'y. Then I undresses an' gets into the green silk pyjamas, the brown an' green wool bathrobe an' the red an' purple felt slippers. By the bawthroom mirror I straps the rubber fyce mask hover me fyce, an' 'avin' 'ad a neat 'aircut, directed by Mr. Chalmers'isself, found I looked 'alf like a bloomin' toff meself w'en me phiz was covered over.

"Well, at nine-fifteen comes the signal we'd agreed on—tink-tink-tink—the sound of 'im knockin' out the ashes of 'is pipe on the radiator in the room above me. I throws off me overcoat, sails through the closet and out the swingin' doors, up the fire-scape till I reaches the landing one floor above. There Hi tries these swingin' doors, passes gently in, an' finds meself in a big dark closet filled with togs from one end to the other. I waits m'ybe three minutes next the wall, an' then the door w'at leads into the room opens part w'y, a crack o' light comes into the closet, and in walks a figure dressed exactly like meself—brown an' green wool bathrobe, green silk pyjamas, red an' purple felt slippers, an' a rubber fyce mask on 'is fyce. 'E gives me a friendly squeeze on the arm as 'e passes me, and with me package o' fags in me 'and I marches on into the brightly lighted room, closin' the door be'ind me.

"Hi don't 'ardly give a look around, catchin' a glimpse of just w'at Mr. Chalmers told me I'd see—a sick chap lyin' on a cot near a fireplace—a nice warm-as-toast fire cracklin' aw'y—a bureau with rich things on it. There was an old lydy sittin' in a rocker in a room next to this one, sewin' aw'y and 'ummin' a little chune. I plops down on the bed, pickin' up the book which was lyin' houtspread on the coverlid, an' lightin' a fag with some matches on a little stand close by me helbow. The nyme o' the book was somethin' about a mystery o' some Ashes, by a chap nymed Tony Wynne, an' I turns the pyges habout one a minute. The old lydy an' the sick chap on the cot back of me 'ead seems to understand, as Mr. Chalmers 'ad told me, that their master wasn't supposed to talk none with 'is complexion mask on an' them fyce muscles all contractin' with th' doc's liquid."

Red Bronson paused a second, and then proceeded towards the conclusion of his unusual narrative.

"It was about a quarter to eleven w'en I 'ears a long low w'istle in the back o' the buildin', and begins to get ready; and about eleven w'en I 'ears a sharp rap on the steam pipe. I wytes three more minutes an' then, sniffin' at a fag like as if I didn't like the tobacco in it no more, I'ys the book down, jumps up an' goes into the closet like as if I was tryin' to find somethin' different to smoke in one o' me pockets. In the closet me 'and touches Mr. Chalmers, all fixed back in 'is bathrobe, pyjamas an' slippers. I gives 'im the 'igh sign—a squeeze on the arm, signifyin' everything went perfect—and I waits an' sees 'im walk back into the room before I pushes on through the swingin' doors. Down the fire-scape I climbs, an' through the closet o' the flat below, w'ere I finds the little pocket light burnin' away cheerful like. It's a bit low now, gents, but not so low that I can't dress back into me own togs, and not so low that I can't find in my breast pocket a henvelope containin' twenty-five 20-dollar bills, a ticket to Philadelphia an' a passage on the *Haquitania*, sailin' at noon, the second day followin'. I suppose 'e'd 'ad the envelope 'id som'eres in the flat all the time." Bronson paused and then finished: "As soon as I got dressed, I pulled hout, keepin' the watch and dumpin' the bundle o' bedroom togs an' pocket light into the Chicago River at Madison Street. I puts up that night in the Evenin' Sun lodgin' 'ouse, orderin' a call for five in the mornin'. And at six sharp I'm on a train bound for Phily."

The man with the bright red hair stopped, and it was the ever-watchful Ballmeier who had to help him on to the end of his testimony.

"What happened that you did not board the *Aquitania* at Philadelphia?"

Bronson hesitated a bit embarrassedly. "I—well—I'd been in Phily before, the time I come over on the freighter. I 'appened to know a joint on th' water front—Nigger 'Oskins plyce, they call it—where you can get a skinful o' booze if you can p'y for it. Next d'y I was drunk all right, but not too drunk to myke me boat. Only me ticket was gone—vanished! I puts hoff me trip, thinkin' I'd find me ticket—or else Nigger 'Oskins would give it back—an' I'd change

it lyter for another boat. But no ticket. Well, I carn't tell about all them there months. I drank an' I drank—I was 'alf soused for three months on bootleg. Hafter me 500 dollars gives out, Nigger 'Oskins threw me out. I been without a shillin' for months. Then last week it was that I finds me ticket, where it went down me breast pocket in a 'ole in the linin', and was all the time in me coat."

"What brought you into contact with the Chicago State's attorney's office?" queried Ballmeier.

"The police o' Phily," was Bronson's sullen reply. "I was tryin' to cash in me second-class ticket to Liverpool for money, thinkin' I'd buy me a steerage passage hacross, and 'ave a few crowns over. But the steamship agents was suspicious of a passage eight months old, and turned me over to a bobby. 'E tykes me to the stytion, and there they mykes me tell what I'm doin' with a ticket that old, an' tryin' to ryse money on it, and I 'as to up and tell 'em the truth to syve me own skin. Then a few days lyter a deputy comes from Chicago, serves some kind of a pyper on me, and lugs me back to Chicago."

"Receive any fee or promise of any fee for testifying as you did to-day?"

Bronson shook his head. "I 'ates to go back on the man I mykes a bargain with, but when I learns there was murder done that night, I'm willin'—I got to—talk. I never dreamed 'e were goin' to kill the toff, van Slyke. I got no fee, sir, nor no promise of any fee, sir, other than my expenses w'ile I'm a witness for the Styte, and mileage from Philadelphia."

Ballmeier gazed reflectively down at his own feet for a moment. Then he looked up.

"Witness excused to the defence," he said quietly.

Crosby, during this pause which marked the end of Ballmeier's examination of the witness, had lowered his head close to that of his client.

"Quick, Chalmers! True or not true, this fellow's story?"

"All true," said Chalmers in a low whisper that carried barely to his lawyer's ear.

Crosby was on his feet as Ballmeier dropped back into his own chair.

"The defence excuses the witness for the present," he announced quietly. He sighed, and for the first time in the

long, bitterly contested case a wave of discouragement—of despair itself—seemed to engulf him. He found himself unable for the present to marshal his thoughts upon this bombshell of fact which Archibald Chalmers had known all along existed, a potential destroyer of their entire case.

Red Bronson climbed down from the stand, and Ballmeier rose. He examined some papers in his portfolio.

"Now that we have seen the complete demolishment of the Chalmers alibi, we may be prepared for further developments. For the present I wish to put upon the stand a witness whose very brief story, coupled with the testimony ruled out by his honour this morning, will result in that testimony being made a part of this case, showing fraud, criminality and conspiracy on the part of the defence." He nodded to a bailiff. "Bring in Anne Wentworth, please."

And while the clerk was officially mumbling out the name of his new witness, Crosby, watching like a hawk the tiny door from which a short while before Red Bronson had been brought, started to his feet, even as the veiled woman in the front row of the spectators half rose from her own seat and gave a startled gasp which carried clear over to the lawyers' table.

The State's second witness was Lindell Trent—Lindell Trent who by Crosby's own carelessness had been sent to prison from Brossville, Kansas, five years before—the girl for whom his heart had ached ceaselessly during five weary years.

## CHAPTER XX

### THE NOOSE SLOWLY TIGHTENS

**L**INDELL TRENT !  
No longer was Crosby conscious of the court-room about him. All he knew, all he saw, was the slim girlish form with her great dark eyes and black hair which dropped in ringlets over her white temples—the girl whom David Crosby, pompous ex-farmhand, oozing sanctimony and self-sufficiency, had stood up in a country court to defend five years before, with a defence that consisted only of a cringing plea to the jury !

When she spoke it was in words so low that they carried barely to the lawyers' table.

"My—my—my name is Lindell Trent."

Crosby, his head thrown forward to catch every movement of her dear face and every inflexion of her voice, rapt as he was, could see the staggered look which swept over Ballmeier's face.

"Please alter the witness's name to Lindell Trent," he said suddenly, inclining his roly-poly head towards the court clerk. "This office has evidently made a clerical error in entering up the witness's name." Ballmeier stared, puzzled, towards his second witness.

"Where do you live, Miss—Miss—er—Miss Trent ?"

"At 24 West Huron Street," came the reply, a reply so low that there was an irritated stirring on the part of the spectators in the back of the court-room.

"Miss Trent, will you be kind enough to tell in your own words, and briefly, to the gentlemen comprising the jury in this murder trial what you saw occur Tuesday morning, day before yesterday ?"

The girl's eyes rested on Crosby, hungrily, as though loath

to tear themselves away; then they turned wearily in the direction of the jury, and she spoke, clearly, convincingly.

"Day before yesterday," she said, "I was in severe financial straits due to a friend and employer having left Chicago suddenly without having fully taken care of certain money due me. So early that day I went to North 60th Court at the north-western outskirts of the city, where an opportunity had presented itself by which some money could be earned. Starting back to the city in an Irving Park car about nine in the morning, I dismounted from the car at Marmora Avenue because of its being jammed from end to end with rowdies who were fighting and scuffling and indulging in horseplay, determined to walk on to Broadway even though I was encumbered with an empty suitcase.

"It was at Parkside Avenue, out in this sparsely built-up district, where the incident occurred which the State's attorney has asked me to relate in this court. A gentleman, very well-dressed and of middle age, each hand carrying a gold-headed cane, went out to the street-car tracks, walking as though his legs were partially paralysed or weak, and gazed westward with an angry, puzzled expression on his face.

"I was coming along the sidewalk, perhaps a quarter block this side of him, when a beautiful black limousine stopped short on the street in front of him with a jerk, and the chauffeur hopped out and peered under the hood to see what was the matter with the engine. A man with white hair and dressed in clerical garments—the garments of an episcopal Bishop—peered out through the open window of the limousine, and I was not twenty feet away when he ventured a friendly remark to the man with the two canes. The man in the beautiful black car smiled a smile that seemed to be that of brotherly love, and I was just passing the point where this was taking place when he flung open the door and said, 'Then ride down town with me, Mr. Carrington, won't you, please? I am Bishop Hereford of the Episcopal Church of Chicago.'

"The man with the two gold-headed canes looked dubiously at the street-car tracks and then stepped with some difficulty up into the car. 'I hope you won't mind having your man drive very cautiously, Bishop,' he requested, sinking down on the upholstered seat next to the ecclesiastic. 'I am

deathly afraid of automobiles ever since I had a bad accident in one.'

"I was a little bit too far ahead of them now," continued the girl on the witness-stand, "to get what the Bishop said to his chauffeur, but he evidently instructed the latter to drive moderately towards Broadway or some other main thoroughfare, for when they rolled past me the car was proceeding at a very cautious speed. And as I watched it, and it got down the street perhaps a block and a half ahead of me, something very peculiar happened."

"You were about the only spectator in those outlying blocks at this moment?" prompted Ballmeier.

The girl nodded. "Yes, sir." She paused. "The car stopped once more, and again the chauffeur hopped out, but this time instead of examining the engine he came clear to the side door. He flung it open hastily and climbed in. I could hear what seemed to be the faintest sound of a stifled cry, and I could see the chauffeur's body swaying back and forth on the running-board. Once I fancied I saw through the tiny rear window of the car the face of someone struggling, and once a hand, but I was not certain. Then the chauffeur climbed down on the pavement again and, springing like lightning into the front seat, shot the car forward at a furious rate. Instead of going on eastward, however, it wheeled sharply to the left and dashed northward along a new street which was occupied only by empty lots. Inside of a minute there was nothing whatever to be seen of it."

The girl gazed about her in the court-room for a minute. Then she concluded her brief story.

"I trudged on to Broadway, where I had some business to transact, reaching it a full three hours later. But going down town in a State street-car to the public library next morning to look up some facts, I overheard two men in the seat back of me talking about a murder case—this murder case—and I overheard one of them say: 'It's plain that if it hadn't been for John Carrington's testimony in that first trial, Archibald Chalmers would have gone free.'

"The repetition of the name Carrington," the girl concluded, "after the little conversation which took place at Parkside and Irving Park, seemed more than a mere coincidence, with the result that I went to the police—rather

late, to be sure—and related what I had seen Tuesday morning around nine-thirty. They sent me over to the State's attorney's office, who took down my story and subpoenaed me to appear in this trial." She paused. "That—that is all."

A long pause followed the girl's clean, straightforward story, uncoached as it was by the State's attorney. And Ballmeier, gazing directly at the jury, spoke:

"Archibald Chalmers and his lawyer are out to get an acquittal at all costs. But I am sure"—Ballmeier turned to Judge Lockhart—"I am sure your honour will reconsider your decision of this morning and allow those telegrams, together with this eyewitness's story, to be made part of the records of this trial. John Carrington has disappeared. And it is John Carrington who, if my office had not dug up new evidence, would have prevented an acquittal." He turned to the girl. "You are excused to the defence."

She paused on the stand, gazing helplessly towards Crosby. But Judge Lockhart, drawing forth a gold watch from his portly paunch, interrupted.

"As it is now noontime, I shall dismiss court. Furthermore, I shall suspend court for the balance of the day. I wish to consult certain authorities, and promptly at to-morrow morning's opening I shall give an opinion as to whether this second witness's story and the telegrams will be admitted. So the attorney for the defence might prepare himself to cross-examine Miss Trent to-morrow morning."

"Thank you, your honour," replied Ballmeier with a bow. He appeared relieved. He had "got across" an impression to the jury, and it was quite probable that he cared not one whit now whether the judge ruled his evidence out or in.

His honour bowed his head curtly to the bailiff. The bailiff dismissed court. Crosby gave but one fleeting look at the cowed defendant at his side.

"I'll see you in your cell this afternoon, Chalmers." And then the deputy, hungry for his noontime repast, nodded to the prisoner and prepared to take him through the door which led to the "Bridge of Sighs."

And silent, immovable, Crosby sat, chin in hand, his eyes riveted on one person in that court-room, as one by one the spectators and attached melted away. At last they were alone—these two. He rose and came over to her, and in



the great vaulted, high-ceilinged room, musty with tradition, he dropped down in the seat next to her and closed his hand over hers.

"Lindell—Lindell," he said unbelievably. "Oh—Lindell, what an injustice was done to you! Zelina Miles confessed all. You were innocent. And you were gone from me. Oh, Lindell, how I have suffered in these five years!"

She riveted her big dark eyes on his face, and an odd expression crept into them.

"David, I can't believe my own eyes—that it is you, really you, a successful lawyer in a big city court-room. I—did not dream that I would come face to face with you, of all persons. They did not mention your name in the State attorney's office, but they spoke of you as—as—they called you a bitter, bitter fighter. Oh, David—you, a bitter fighter for your client!"

He flushed from his neck to the tips of his ears at her ingenuous admission of her lack of credence that David Crosby of Brossville could ever rise to such gladiatorial heights as to fight for his client. And as he opened his lips to pour forth a veritable flood of questions to her, a shadow fell across them both and a hand touched his shoulder. He looked up.

Two men, both strongly built and impassive in expression, one with close-cropped moustache and the other without, stood there. He knew them by sight—Bailey and Shea, detectives on the Chicago detective bureau and right-hand men of George Krenway, chief of that division. Bailey spoke.

"Your stenographer said we'd find you over here in Judge Lockhart's court, Crosby, so over we came." He paused. "Sorry, but I'll have to ask you to come over to the chief's office. There's three detective officials from St. Paul, Minnesota, and a man from a town in Wisconsin—Winniston—want to have a talk with you."

Crosby shook his head irritably. "Sorry, but I can't come now, Bailey. Tell Krenway I'll drop in later in the afternoon." He turned to the girl. "And now, Lindell——"

But Bailey's voice broke in on his words. "Sorry, Crosby, but you'll have to come, and come now. We have a warrant for your arrest, and under arrest you'll have to consider yourself."

“ Under arrest ! ” echoed Crosby. “ Under arrest—for what, please ? ”

Bailey gave a fleeting glance at the girl at Crosby’s side and then shrugged his shoulders. “ For grand larceny,” he said abruptly, “ to the extent of 150,000 dollars. They say, Crosby, that you got the Lord Masefield octet that was stolen in the Rosecrantz hold-up at St. Paul ! ”

## CHAPTER XXI

### THE TANGLE OF TANGLES

CROSBY stared up speechlessly at the two men. His eyes held an angry light, and then his gaze travelled to the dark, quiet eyes of the girl at his side.

"Lindell, something appears to have come up which takes me from you at the very moment I wanted to talk with you. Consequently I am going to ask if you can come to my office in the Otis Building at—say—six o'clock to-night without fail. You will come?"

She nodded, the momentary bewildered look in her deep brown eyes giving way to a happy one. She thrust out her little gloved hand to him. "I will be there, David."

He nodded, and closed his hand tightly upon hers. Then he rose and took up his hat. "All right, Bailey and Shea, I'll be with you now."

Together the three men left the court-room, and Crosby's head, in a whirl from the rapid sequence of surprising developments, began to get calm again. Lindell Trent was found, and thus perished his long-fostered scheme of searching the volcanic islands of the South Seas for the skeletons of Cape Town Eddy Courtney and Jeff Whittlesbee, and her meshbag of silver sixpences. All for her—to find the name she had taken, to find her location in Australia—he had gone blindly into a murder case, agreeing to defend Chalmers without asking him a question, agreeing not to put his client on the stand, fortified only by his own conviction that Chalmers was innocent.

He turned to Bailey. "Bailey, you don't begrudge a man ten minutes in his office, do you, to attend to a matter that has to be seen to immediately? Remember, I'm handling a case for a client."

"How long?" grunted he of the close-cropped moustache, looking at his watch.

Crosby looked at his own watch. "You can give me fifteen minutes? After that I'm willing to give you boys the rest of the afternoon if you need it."

"All right as far as I'm concerned," said Bailey.

"O.K. with me," seconded his partner.

So, instead of going straight to the detective bureau at the mouth of the La Salle Street tunnel, they turned their footsteps in the direction of the Otis Building. Reaching there, Bailey, after a cautious glance out of Crosby's inner office window, which looked down a dizzying drop to the court below, left the younger man alone at his request in the inside office, and dropped down with Shea on the bench in the ante-room, which they proceeded to fill with thick smoke from their cigars.

Inside his private office with the door closed, Crosby lost no time in getting to work. Unlocking the steel-lock drawer of his desk, he took from it the cloth-lined legal envelope in which, on the seventh of September, just fifteen days ago, he had placed the ragged pieces of paper comprising Chalmers' note to Al Lipke, which the latter had tossed into his waste-paper basket after reading. It was a comparatively easy matter to fit them, odd and irregular in shape as they were, together, and piece by piece there grew, in the typing of the little portable machine which Chalmers was allowed to keep in his cell, a letter. And bit by bit there grew in Crosby's mind the dazing realization that Archibald Chalmers, his client, had resorted to crime to break the chain of testimony against him. The message ran:

A. L.

This letter will be handed to you in person by a man whose profession and identity will make it unnecessary for me to sign my name. Now I am going to talk money to you, and money on a big scale.

It is necessary that at a certain coming trial, the picking of the jury which begins on Monday, September the 19th, and which should open about Wednesday or Thursday of the week, a certain man does not appear to give his testimony. This man is John Carrington of 4062 Parkside Avenue, Chicago.

If, however, he should disappear before the trial is opened, the State will obtain an adjournment. Not only must he vanish after the trial is opened, but he must not reappear until a verdict for the defence is secured. This man is wealthy in his own right. He cannot be bribed. He does not drink. He is a member of the church.

No trace whatsoever must exist of the method of his disappearance; no clue nor witness that will serve to show anything other than that he has left Chicago on private business. And one more thing: there must be no murder—anything but that.

Now, my friend with the talents and the brains and the acquaintance in the Underworld, here's a big job that needs a big man like yourself to handle it. And for such a man there's big money at stake. How much? I'll tell you how much: 25,300 dollars in cold cash for expenses if required; 25,000 dollars in cold cash for yourself. And you are to handle the entire funds. I'm crossing your palm with a cheque made out to "cash" for 2,000 dollars—all I've got in the world until the 15th of September when I receive a bequest from another city. What's the answer?

Make it plain "yes" or "no" and give that and no more to the man who hands you this note. Likewise agree upon some name between him and you by which you can communicate with him, and therefore with me, instead of by your own name. And I need not caution you to destroy this little communication.

There was no signature. Indeed, none was needed. But there had been a cheque in the letter, for Crosby remembered distinctly seeing Lipke fold up the pink crisp slip.

Again he read the letter through from beginning to end, and then, with a heart like lead, he swept the fragments together, placed them on the little brass ash-tray which stood on his desk and touched a match to the pile. What to do now was something that he must determine, and determine before many more hours.

He appeared in the doorway, and nodding to Bailey and Shea, led the way in silence to the street. There the three men threaded their way together along La Salle Street till they reached the old grey building at the foot of the tunnel,

and without a word went inside. The hands of Crosby's watch were exactly at one.

As Crosby, a few feet back of Bailey, entered the office of George Krenway, with whom he had had such a sharp, acrimonious tilt at the first Chalmers trial, he was conscious first of seeing a face in an arm-chair near Krenway's desk which he had once seen before; then he became conscious of the pronounced lull in the conversation that marked his entrance. It was broken by Krenway himself, his thin-lipped countenance with its iron-grey hair as sour-looking as ever.

"Crosby," said Krenway, leaning back in his swivel chair, "to your left is Mr. Matthew Barr, president of the bank of Winniston, Wisconsin. I think you've met once before. The other two men at your left are from St. Paul, Mr. Curt Kelly and Mr. Gon Wynans, associated with the gentleman to your right." He made a gesture towards the oxlike man with the cold eyes and the wiry eyelashes. "And this is Mr. Victor Considine, chief of the Considine Detective Agency of the Twin Cities. He wants to talk to you about this Lord Masefield octet that was lifted in the Rosecrantz stick-up at St. Paul."

"Glad to meet Mr. Considine, I'm sure," said Crosby dryly. But he did not proffer his hand when Considine made no move either to rise or to extend his own hand.

"Crosby," began Krenway, "you were engaged, weren't you, to defend Samuel Viggman, temporarily of Winniston, Wisconsin, in connection with his participation in the Rosecrantz hold-up at St. Paul?"

Crosby stroked his chin. "I was engaged by Viggman by wire," he corrected, "to look out for his interests in connection with certain accusations made as to his alleged participation in this hold-up."

"Did you know whether he was guilty or not?"

"Now come, Krenway," Crosby retorted angrily. "You don't think for a minute, do you, that I can violate any confidences a client puts in me? Haven't you been dealing with lawyers long enough to know that?"

Mr. Victor Considine broke in at this point, opening a type-written sheet of paper and thrusting it forward to Crosby. "Crosby, this is your letter to Viggman when he was in the lock-up at Winniston, isn't it?"

Crosby read it through. It was brief and was, in fact, his own letter, and one which he had typewritten himself and mailed to his unprepossessing client some five or six days before.

"This is my letter all right," Crosby admitted, handing it back. "But what about it?"

"Simply this, Crosby," Considine asserted gruffly. "Viggman gave you those eight coloured diamonds, worth 150,000 dollars, either to use to bargain with Rosecrantz whom he shot in St. Paul, or else to make a case for him and get him his liberty. Didn't he, eh?"

"I have once told you people," Crosby bit out, "that a lawyer doesn't divulge any relations between himself and his client."

"Better give him the facts, Mr. Considine," advised Krenway.

Considine leaned forward in his arm-chair, his big hands across his pudgy vest. "Crosby, your man escaped jail late Tuesday night, and two of our operatives, who were coming into St. Paul in a machine from a trip down State, picked him up on a road on the Minnesota side of the river. He has made a full confession of his own free will, and he tells us over his signature that you demanded those stones from him before you would even consider taking his case. He tells us furthermore that you in turn supposedly locked 'em in a safety box in Winniston, and came back to the jail and told him that you'd put 'em in box 589, sealed in a cough-drop carton. And now what about this much, eh?"

"Hm!" said Crosby, tapping the floor with his foot. "So Viggman has confessed, eh?" He turned to Krenway, ignoring Considine. "How do I know that Viggman has even escaped, much less confessed?"

Considine, with a grunt, fumbled in his vest pocket and produced a crisp typewritten document. He handed it to Crosby, and kept an eagle eye on the latter as he unfolded it. True enough. It was dated St. Paul, the morning previous, and at the bottom was the signature "Samuel Viggman," together with that of several witnesses. Crosby read it through, and then, taking out his notebook, in which he had entered Viggman's signature that day in the Winniston jail, carefully compared the two. They were identical, he could see that at a glance.

"Well," broke in Considine impatiently, "we came down to Winniston yesterday, got out a Wisconsin search-warrant, and in front of eight reputable witnesses—four from the town itself—drilled open your safety box Number 589. We found your cough-drop carton all right, sealed up just as you left it, and with eight cough-drops in it instead of eight diamonds. Oh, such a gyping to give to a poor hard-working crook like Sammy Viggman!"

Crosby's jaw fell open. "Cough-drops!" he ejaculated aghast. He stopped. A sudden look of enlightenment flashed over his face. "Say—do you people think I don't subscribe to the daily telegraphic bulletin sent out by the Chicago offices of the *Weekly Detective*?" He reached over and without even asking permission seized from Krenway's desk a short sheet of glazed paper, bearing a number of small photographs in half-tone, together with a series of numbered bits of reading matter, and with one glance at the date at the top dropped his eyes clear to the last item. He nodded his head. "There you are. I don't forget what I read, especially when I read it only this morning. 'Eric Worman, cashier of Winniston, Wisconsin, Bank, missing. Funds estimated at 15,000 dollars also missing. Known to have gone to St. Paul, and if not dead supposed to be travelling toward British Columbia. Description: carried yellow suitcase; wore ———'" Crosby broke off and tossed the sheet back on Krenway's desk. "Well, why are you people wasting valuable time with me down in Chicago here? Why don't you get out and bring in this Worman before he makes a Jap liner out of Vancouver or heads into the Canadian woods?"

A scrupulously uninterrupted silence followed his angry denunciation, and it was broken by the calm, forcible words of the sun-browned man whose every inflexion of his voice proclaimed truth and uprightness. Matthew Barr was speaking:

"Mr. Crosby, you yourself held the so-called A-key to that box, and this key on my watch-chain, which has never left my possession day or night, is the only means by which anyone could have secured entrance to the B-keys. At no time since the installation of that safety-box system has Worman ever had anything whatsoever to do with it, or any access to



any part of it, and this I can prove by a dozen reputable witnesses. I might so much as mention that every safety-box holder in and outside of Winniston was called to that bank yesterday to examine his or her safety box, and not one of them, Mr. Crosby, found a single item missing or disarranged. Either you never deposited those jewels in that box, or I—the sole controller of that safety-box system—stole them in some unexplainable way. Fifty years, man and boy, I've lived in Winniston. For twenty years I've handled money from those people without even a receipt. Everything I had in the world, Mr. Crosby, I put into that bank when it broke in the summer of 1908, to make good the losses. And every depositor was paid to the last penny. Now I am here to see this thing out. I am content to let any St. Paul or Winniston jury determine which of the two of us it was—you or I."

Crosby sat for a long time, thinking. Finally he looked up. "Gentlemen, there seems to be some sort of a mixup here which I am sure we can clean up. Now, so long as I definitely know that Viggman has confessed, I am more than glad to give you the details of my connection with his unfortunate case. First, Viggman did give me this Lord Masefield octet. Distasteful as it was, in a way, I was willing to be an intermediary between Viggman and Rosecrantz, his victim, in order to live up to the recognized duty of an attorney to aid his client. I had intended to go straight from Winniston to St. Paul that day, but matters of a private nature called me to Omaha instead. As a result, it was a full two days later that I went to St. Paul. I found Mr. Rosecrantz, the diamond merchant, in Bethesda Hospital, and I also found what I had suspected: that he was the only principal who could be negotiated with in this affair, as he had bought the Lord Masefield octet with his own money and not as an agent. I found, furthermore, that the bullet which they had been unable to draw from his lung had set up an infection, and that he was even then in a high fever. Now, so long as I had taken over Viggman's interests, there was nothing for me to do but handle them in the way I had promised him. Until Rosecrantz took a pronounced turn for the better, I could do nothing. As for the eight diamonds—well, they were safe in a safety-deposit box, and I myself had the key to that box.

My agent notified me just this morning that Mr. Rosecrantz is at last out of danger and able to see visitors. And I had intended going up there the very minute that a break took place in the Chalmers trial."

Crosby paused for a moment to get his breath after his long speech. Krenway was the first to break the silence. "Didn't it strike you, Crosby, as a rather ticklish proposition to hold stolen goods, particularly when they were worth 150,000 dollars?"

"No, it did not," was Crosby's heated retort. "I hadn't done anything morally wrong. I expected to persuade Rosecrantz to call the whole thing a bad bargain, take back his jewels, and consider that he was very lucky as such things usually go. And Rosecrantz's jewels were in a safer place than he himself was. He——"

"Oh, let us not waste time," said Krenway grumpily, looking at his watch. "I never saw the lawyer yet that couldn't prove black was white by a combination of Webster and Blackstone." He fastened his sour eyes on Crosby. "But I wonder what your idea was in trying to double-cross Viggman. Crosby, when the seals of that cough-drop carton were broken and the contents dumped out on the table in front of eight witnesses, there wasn't a sign of a jewel. Eight cough-drops—that and no more. As for Worman, this young cashier, Mr. Barr has satisfied us that he had no means, on account of the system used there, to enter those safety boxes. Remember, Crosby, you yourself had the A-key in your possession all the time. Likewise, I am frank to say that I distrust your too energetic and well-fortified attempt to utilize this Worman flight as an explanation." Krenway shook his head. "Come out of it, Crosby. It can't be done. You don't want to go up to St. Paul and face a jury. If you've still got the jewels yourself, fork 'em over. And if you've handed 'em over to some one else, come clean with us and we'll all guarantee to forget this scene."

Crosby's retort was an angry one, but he shifted one leg to the other uneasily as he spoke. "Yes, I got 'em, Krenway, exactly as Viggman has told Mr. Considine here. He seems to have overlooked entirely stating that I took those eight diamonds only as a pledge, planning to get them back to their rightful owner in exchange for an agreement on his part not

to prosecute Viggman. All right, I wash my hands of Viggman now. As for the Lord Masefield octet, I got it. I got the whole eight jewels composing it. You people say that you found only eight cough-drops in that box. Well, I give it all up. I throw up my hands. Somebody's crooked and I pass!"

A silence followed his wrathful answer. Then Considine, leaning forward in his arm-chair, spoke.

"Crosby, you've been rather hard up lately for money, haven't you? Been in trouble with any woman? For instance, blackmailed or anything?"

Crosby regarded the big St. Paul sleuth with eyes narrowed to slits. "Is this thing developing into a farce?"

Considine took from his vest pocket a square yellow sheet of paper. "Here's the original copy of a telegram that came into Winniston the day you were there. Young fellow took it off the wires and delivered it to you personally over at the hotel desk. It had been relayed from St. Louis by way of Chicago, and it says: 'Arrange to have without fail 44,000 dollars in cash Friday morning your office. This will cover all.'" Considine paused, then added: "It's signed 'Mabel Mannering.' I suppose you're willing, Crosby, to bring in this Mabel Mannering and let us talk to her—in fact, have her tell us exactly why she is asking of you 44,000 dollars in cash?"

Crosby swallowed hard. With difficulty he refrained from biting his lips. "I will not," he remonstrated. "I will—I will do nothing of the kind."

Krenway gave a short, hard laugh. "All right, Mr. Considine. So long as your extradition warrant is coming down on the three-thirty train, I'll turn him over to you." He rose from his desk to signify that the interview as far as he was concerned was over. "Crosby, unless you can get two bonds—one in favour of the city of Chicago, and one in favour of Mr. Considine's agency in St. Paul, I'll have to make you go back with him on the night train. I don't want to be unfair to you, considering that you've got this Chalmers trial on your hands. It's up to you. You've got two hours ahead of you."

And as Crosby without a word stepped to the phone to call for old Edgar McCarthy, the bondsman with whom he had had

so many dealings in the past, he fell to thinking gravely as he held the receiver close to his ear. At last he was to realize what it meant to have the evidence directed against him instead of his client ; at last he saw with uncommonly vivid vision what it was to mean to sit in the position of defendant. It would mean that as a criminal lawyer he would be broken—broken completely—that that long line of luckless men and women projecting down into the future must turn as one person from him—the “square guy” who had become a “double-crosser.” One thing was certain. If he explained here—now—or later in a St. Paul court—the truth of the damning “Mabel Mannering” telegram which had risen to confront him at this crisis in his affairs, then the truth must come out at last that Al Lipke, notorious crook, one-time defendant in a jury-fixing case, the Big Brains and the Booking Agent of the Underworld, was implicated in the disappearance of John Carrington, that the vanishing of the chief witness against the defence in the Chalmers case was something planned, arranged for and paid for.

## CHAPTER XXII

### THE COOL ONE RENDERS AN ACCOUNT

CROSBY was in the mood of dejection. All in all the private hearing had taken less than the hour, with Victor Considine and Matthew Barr testifying, Viggman's written confession and the copy of the telegram; and now he, David Crosby, found himself held in two bonds of 50,000 dollars and 15,000 dollars respectively, on the implied charge of grand larceny, but fortunately, it is to be admitted, without a line in the ever-hungry papers.

It was in this downcast frame of mind that he was now calling Longinelli, the Italian saloon-keeper of West Madison Street, by 'phone and demanding that Lipke come to his office by five o'clock.

Sure enough, although he had called at twenty minutes to five, the slippery Lipke, always "out" at Longinelli's, yet evidently always at the Italian's elbow, entered the office and strode through the open door of Crosby's inner room just as the latter's mahogany clock on his desk tinkled the hour of five. The young man closed the door, and with eyes that were cold and hard surveyed the leonine figure which, with its brown suit, its carnation in the buttonhole, its grey kid gloves and grey suède top shoes, made the black-haired, pink-faced Lipke a far from unhandsome person.

"Out with it, Lipke, and out with it all quick. Everything in the Chalmers murder trial is gone to smash. What in God's name did you pull?"

Lipke dropped gracefully down in the mahogany visitor's chair, and remarked casually, stripping off his grey gloves. "Gone to smash, eh? Has Carrington appeared to testify?"

Crosby shook his head impatiently. "Come, Lipke. I

want the truth now. You pulled that Carrington disappearance, didn't you?"

Lipke regarded him under lowering eyebrows. "We pulled it, don't you mean? You and I? For you were in it, of course, just the same as I."

Crosby sighed. "Lipke, I was no more in on that deal with you than the man in the moon. Do you think I play the game that way? But now to get out of this beastly mess that Chalmers has got himself and me in. Lipke, give me all the facts and give them to me quick. I've not got much time to work."

Lipke, the imperturbable, gave a cautious sweeping look about the room. "Well, so long as you want a statement; yes, I engineered that deal. Your opponent's badly wanted witness—John Carrington—is out in a house some distance off of Higgins Road, Cook County, unharmed, sleeping nicely under a little judicious use of the hypodermic, until this trial is over. I suppose you people will weep at the cost, but if I do say it myself it's the best bargain young Chalmers ever bought in his life. A half-million dollars at stake!"

A silence followed the big man's statement. It was broken by Crosby.

"Lipke, you've pulled a big criminal deal of some sort, one on a big scale—and you've achieved what to your kind is known as a successful result. To me it's a humiliating thing—a disgrace—and there's the devil to pay now. Evidently you haven't seen the accounts of this morning's trial, but I can tell you that the cat's nose is already out of the bag. Now I want the truth. Remember, Lipke, whatever you tell me is inviolate between us, but I want every detail connected with this Carrington abduction. I want it all, beginning with that letter of Chalmers' that I was dupe enough to deliver to you."

Lipke coolly drew out a black cigar from his vest pocket and bit the end of it off. "Well, I must say, Crosby, that I thought you were part and parcel of the whole plan considering that you were acting as go-between 'twixt myself and Chalmers with respect to the money involved. As for me, I've done exactly what he wanted done. It took money and it took men and, if I may add something, it took a little thinking."

Crosby made no reply, but his eyes continued to rivet

themselves upon the genial orbs of Lipke, the Big Brains and the Booking Agent of the Underworld.

"Well, here's the dope," put in that individual after a moment's pause. "When I left your office the seventh of this month, I left believing this affair was quite between the three of us, you, Chalmers and me. I was confronted with the following proposition: get John Carrington out of the way sometime after the next trial opens, but without leaving trace. For 50,000 dollars and expenses, all the way up to that if necessary. All right. Naturally I first had a little investigation made of Carrington through friends—you get me? Vital statistics about him. Teetotaller. Straitlaced. Member of the Church. One of our stick pillars of society. You know 'em, Crosby. I know 'em too. Now I found also that at one time he'd had—what do you call it?"—Lipke wrinkled up his brows—"myelitis, that was it. He'd had acute myelitis, an inflammation of the spinal cord. When he recovered he was left with a sort of rare semi-paralysis of the lower limbs. He could walk, but he had to use two canes, and had to take things easy. Couldn't cover much distance, and his legs gave completely out on him.

"Now you'd have thought," continued Lipke reflectively, "that living out in the north-west section of the city—and with that rare spinal-cord condition—he'd have had a machine. But he didn't. He'd once been in a smash-up of one and he was strictly off of 'em as a man is off of mules who has ever been kicked by one. You grasp me, I dare say. So every morning of his life Carrington clumped faithfully along the half-block from his house to the Irving Park line with his paper, boarded the Irving Park car, rode into the city as far as Milwaukee Avenue—the big diagonal thoroughfare—and then rode on in clear to the corner of Canal and Randolph where his offices are located. The only gadding about he ever did seems to be an occasional trip down to his sister's who lived only a couple blocks from the Irving Park line, and that's how he happened to meet Archibald Chalmers on Western Avenue the night of the van Slyke murder."

Lipke paused a moment. "Well, given a man that won't ride in an automobile, is being given a man that you can't kidnap very easily. Of course you can send out a bunch of lads in a high-power car and grab him off the street—

but if you ever saw that live little up-to-date block out on the prairies where Carrington lives, you'd soon see that you couldn't pull any raw stuff like that without raising a rumpus. So the simple answer to the proposition was: make him enter an automobile by making him want to enter it. Jam those Irving Park cars all morning so bad that the old gentleman would either have to reach Milwaukee Avenue some other way or else never get there."

Lipke coolly blew out a few smoke rings and then continued:

"To jam a set of cars, all that is necessary is to discharge, say, a young circus near the end of the line and see that all the audience boards a car. And this was exactly what I had to arrange for. I decided upon a big vacant lot at North 60th Court and Irving Park Boulevard for my loading point—excuse me for using stockyard terms in connection with our human brothers." Lipke smiled. "And in view of the fact that one has to have a pretty good stall for, say, newspaper reporters, and when one advertises for twelve hundred men at 10 dollars apiece, I ran down to New York and rooted up a crack circus daredevil act that had never been performed in public before. I also saw a friend of mine down in certain circles in the Big Town and fixed up a few little telegrams and other matters before I left.

"Now about the Bishop, I was afraid you fellows were going to squeal at the price for his services—I got him down in St. Louis, three days after he got out of the Missouri pen on a five-year stretch. I've known the Bishop for years. Best ecclesiastical confidence man in the Middle West, and he's turned thousands of dollars into his pockets. A clever man, the Bishop, but pretty soary and inclined to take things a bit easy after coming out into the free air again. Nothing less than 1,000 dollars would satisfy him, and so I had to pay it.

"Now about the scheme. How would it work? Couldn't have worked out better. Pains, my boy, that's all—and attention to details. That's what spells success in any undertaking. My ad. in the Chicago papers for twelve hundred men with suitcases brought thirteen hundred and forty men—as nice a bunch of roughnecks as you ever saw—and they were all in the tent promptly by 7:30 a.m. Then I ran my



act, which cost your client an even thousand iron men, and let the bunch go. Gave each man a cheque and instructions to show this cheque and his street-car transfer at the old real estate shack on the corner of Broadway and Irving Park. The cheques were O.K. of course, for I'd deposited 15,000 dollars in the First National Bank under the name of A. Cloyd to cover them."

"The street-car transfer," Crosby interrupted wearily, "was to insure each man's boarding the car when he got out of the tent?"

"Exactly," assented Lipke, the cool. "Well, I figured my twelve hundred men, at one hundred men to the car, would fill the cars for three hours flat, but they kept coming on in carloads clear till way after noontime. It was the suitcase wrinkle, you see, that put my plans that much to the good. There never was a poor stiff living in a hall bedroom or even out on Goose Island that didn't have an old suitcase around, or some kind of luggage carrier; and so, last minute before I left the car for my ads. in Chicago, I decided to get as many of 'em—all of 'em, in fact—to bring suitcases. One hundred men, my boy, will jam an Irving Park car till she busts, but give the majority of 'em luggage in the way of suitcases and telescopes and so forth, and you'll have the original hell and confusion."

"I suppose you figured," Crosby interpolated in a low voice, "that John Carrington, unable to walk on to Milwaukee Avenue, the first carline into the city, would naturally fall for this limousine containing—well, your friend, the Bishop? But suppose he'd gone back to his house and called a taxicab."

Lipke smiled keenly. "Don't you suppose, youngster, that we had his wires tapped in his basement in order to catch any taxicab order? Don't you suppose I had a taxi waiting three blocks away ready to drive up if he took that method?" The big man smiled again. "Please don't consider me over-cautious as to details, Crosby, but we had a two-horse rig with an old nigger driver in case everything else failed to entice him."

"Go on," said Crosby bitterly. "Your plans were beyond criticism, all right. I suppose your confederate in New York was ready with faked telegrams purporting to be from

Carrington to the State's attorney and his daughter, and to be sent when you notified him. You're no fool, Lipke; I can see that all right. Go ahead with the story."

"Nothing much more to it," said Lipke, shrugging his broad shoulders. "Carrington started for the carline around quarter of nine—his customary time—and they picked him up after he'd stood against the fireplug for thirty minutes, seeing three full cars go by without stopping. He fell for the Bishop like a baby for candy. But what else could he do, anyway? It was a case of gasolene motor or horse-flesh for him—nothing else."

"Now the old gentleman never missed a day at his office, and he didn't intend to miss this day either; so he went in the limousine. Two blocks on further where the street was all vacant lots again, Bish and the driver jumped at him, trussed him up, stuck a gag in his mouth and whisked him out to a rented house off the Wiggins Road, where he's lying very comfortably, having a good sleep, well fed between sleeps, till the jury comes out and says Archibald Chalmers is innocent."

Crosby shook his head slowly. "What did all this cost?" he asked.

Lipke fumbled in his pocket. "I thought when you called Longinelli you wanted me over here for an accounting, so I brought along the full statement with the bit of change that's coming to your man." He produced a short typewritten strip of yellow paper which he handed over to Crosby. The latter inspected it, item by item, with a face that was far from pleased. The contents, nicely tabulated and nicely typed, ran:

	\$
1,340 men as paid spectators @ \$10.00 . . .	13,400.00
Services of Gus Chevalo in daredevil act . . .	1,000.00
Transportation Chevalo's equipment . . .	113.26
Chevalo's travelling expenses . . .	92.50
My expenses New York City and back . . .	103.75
My expenses St. Louis and back . . .	41.20
Advertising, N.Y. papers . . .	9.45
Advertising, Chicago papers . . .	41.00
Rent of circus tent, Size 2-B, from Karson Brothers, Chicago . . .	150.00
Erection of same, labour, pegs, etc. . .	55.00
Rent of vacant lot N. 60th Court and Irving Park . .	10.00

# THE COOL ONE RENDERS AN ACCOUNT 251

	\$
Rent of limousine used by "The Bishop" . . . . .	50.00
Services, the Bishop . . . . .	1,000.00
Services, the Stockyards Kid, driver of limousine . . . . .	250.00
Services, Peter the Pink, N.Y.C. in sending telegrams . . . . .	35.00
Rent of machine held around corner as "taxicab" . . . . .	35.00
Services of Chicken McAfee, as "chauffeur" of taxicab . . . . .	60.00
Services Nellie Crayshaw and Harry Crayshaw, tapping telephone wires in basement for possible taxicab order . . . . .	25.00
Rent of two-horse vehicle, held as emergency bait . . . . .	35.00
Services "Dinge" Johnson as negro driver . . . . .	75.00
Services of "Canada" Brown, as watcher, corner Irving Park and Parkside Avenue . . . . .	30.00
Services Glass-Eye Carter, doortender at tent . . . . .	50.00
Services Long John Prenly, countersigning cheques in real estate shack . . . . .	100.00
Rent of real estate shack, Broadway and Irving Park . . . . .	10.00
Printing 1½ M. cheques, two colours . . . . .	15-16.00
Services, "Doc." Rainey as announcer in tent and physician to Carrington . . . . .	500.00
Rent of house off of Higgins Road for six months . . . . .	180.00
Food and cooking equipment, cots, etc. . . . .	62.15
SERVICES OF ALBERT LIPKE (as per contract) . . . . .	25,000.00
	<hr/>
	\$42,528.31
Rec'd by cheque (September 7) . . . . .	\$2,000.00
Rec'd by cash (September 16) . . . . .	44,000.00
	<hr/>
	\$46,000.00
Difference, refunded herewith . . . . .	\$3,471.69

Crosby glanced up at the conclusion of his inspection to find lying on his desk close to his elbow a cheque whose figures he could see came to 3,471.00 dollars, made out in favour of "cash," and signed "C. C. Cloyd." He thrust back the yellow slip to Lipke's outstretched hand, and for a moment sat looking curiously at the other. Finally he spoke.

"You're certainly a cool one, Lipke, and a clever one. I don't suppose you yourself entered into this thing at any point?"

The other shook his head genially. "Of course not."

A long silence filled the room. Then Crosby spoke again.

"Well, all I can say is that your nicely working machine was so perfect that it spoiled its own running. There was a young girl attracted out to that tent by your ad. As a result, she passed the corner of Parkside about the time your friend the Bishop induced John Carrington to enter

his machine. She testified in to-day's trial. Now regardless of this all, anyway, Carrington must be released at once. Keep the money you've earned. Its Chalmers' money, not a penny of it is mine. Thank God for that. But release Carrington in any way that's simple and quick, and see that he's back in the world safe and sound by midnight to-night. Do you get me?"

Lipke surveyed him imperturbably. That mocking smile was on his lips again. Then he spoke.

"Well, you and Chalmers are the doctors. Of course you've forgotten what you've just heard in this office?"

"Forgotten it?" repeated Crosby bitterly. "Forgotten it? I wish to God I'd never even heard of it!" The clock on his desk showed the hour to be a quarter of six. Crosby rose. "You'll release him at once, will you?"

Lipke too arose. He stretched his huge frame and yawned. "John Carrington will be back in his home by midnight to-night. After all, I should worry—as they say—about you two fellows. If you want to ruin your case and throw good money to the wind, you're the ones that are out." And a moment later he was gone.

Crosby sat for several long minutes thinking. He could not rid himself of a faint trace of admiration for the man who had accomplished a difficult feat by his constructive ingenuity. Once more it showed not only the tremendous power of money to achieve the impossible in life, but it showed the talents and genius that, misdirected by chance and economic conditions, formed part of the limitless resources of the underworld.

## CHAPTER XXIII

### THE VEILED WOMAN

SCARCELY five minutes had Crosby sat, chin in hand, lost in his own gloomy reflections, when the telephone bell on his desk rang sharply. So immersed in his own thoughts was he that he disregarded the first ring, but raised the receiver reluctantly at the second. A young, brusque man's voice was on the end, but friendly in tone.

"David Crosby?"

"Crosby speaking."

"Tommie Heyworth, Crosby. Dave, I've got two little hot tips for you on your Chalmers trial. Little leak out of the States, attorney's office. Charlie Canfield of the *Herald* put me next."

"Go ahead, Tommie."

"Well, in the first place, Dave, this fellow Jake Kilduff, who you proved in the first trial was the only man who could legally identify the stickpin found in the gangway next to van Slyke's house that night, is back in Chicago from South America on business of his own, and they're going to spring him. So you can look for a positive and final identification of the stickpin now. Sorry to shoot you bad news, old boy."

"That's all right, Tommie. It's been raining on me all day, so just let it pour. And what else?"

"About Chalmers' speedster. Seems that there's a peculiar twist of some sort in that testimony in the first Chalmers trial about Chalmers' garage owner, the negro Joe Skoggins, having sold his car for him a week before the murder. At any rate, they've got their hands on Chalmers' car, and can prove that it was still owned by him the night of the murder and not a block from where he lived. Well, that's all, Dave."

"That's very good of you, Tommie. It's all news to me."

Thanks for the tip." And with a parting word or two, they hung up.

And sitting amid his gloomy reflections, amid the chaos of himself in the purloining of the St. Paul diamond dealer's jewels, the tiny clock on his desk tinkled forth the hour of six.

And promptly She came !

He rose from his chair and crossed the floor quickly as the slim figure in its black silk dress paused uncertainly in the open door of his office, a black velvet bag on her wrist, and her big brown eyes surveying the neatly furnished interior.

"Lindell, Lindell," he breathed, her hands clasped in his own, "I can't believe, dear, that it's really you."

She held him off at arm's length and inspected him with eyes in which a curious interest mingled with what might have been pride. "David, I just couldn't look you all over to-day in the excitement, but now I can—and David, how different from what you were !"

His face clouded. Then he forced a reluctant smile to his lips. "But Lindell Trent is the same slim little lady—yet—a bit more sophisticated and bright and well read and polished." He ushered her to a chair close to his swivel chair, and after closing the door took up a seat by her.

"And now, Lindell," he demanded, his hand encompassing hers on the chair-arm, "I want you to tell me all. I never, never dreamed that you were to come into my big murder trial and on the side of the State at that. But here you are—and no matter which side you're on, thank God you're here !" And after a brief pause he related to her the facts following her disappearance five years before, how he had always treasured the letter the warden of the penitentiary had given him—the letter in which she had told of buying the meshbag, and how his whole aim in life had been to find her by finding that meshbag and the South Sea island where Cape Town Eddy Courtney and Jeff Whittlesbee had died. And when he related to her even the strange agreement between himself and Chalmers with regard to the payment for Chalmers' defence, he stopped, for he had told her all.

She smiled. "David, it all reads like a story." She paused, and added wonderingly : "And—to think—to think that you advertised for me in Australia—broadcast for me in

Australia—and I, with only my little crystal set here in America ! ”

“ Here in America ? ” he echoed bewilderedly.

She nodded. “ But I will tell you about it from the beginning. It was in the steamship offices of the Pacific and Southern Navigation Company where I first met Miss Sparken. I was there inquiring about passport details and transportation fees. Miss Sparken was in there arguing about getting a refund on her passage which she had decided she could not use. Well, David, the upshot of it all was that she persuaded me to buy her passage and her passport, and I, not knowing that I was committing an offence in law, bought them and paid cash for them from the gift the governor’s wife had made me.”

“ Yet you say you did not go to Australia ? ” asked Crosby, his hand unconsciously patting her slim one.

She shook her head slowly. “ No. On the day before the sailing of the *Ocean Queen* she came to me in the rooming-house on Market and Fremont Streets, San Francisco, where I was staying. She said that her plans had again changed, and that she had since discovered that we were both guilty of a crime which would put us in jail if it were discovered that we had engaged in this passport transaction. I think, David, she knew it all the time ; but now, when her plans had changed, she used it for a leverage to get back her passage and her passport. Of course I sold them back to her at once for exactly what I paid her, which destroyed all chances of my leaving on the *Ocean Queen* as I had expected to do.”

“ But the meshbag made of Australian sixpences ? The one you bought from the old sailor in San Francisco ? ”

She made an entrancing little moue, such as a French girl might make.

“ Oh, David, that terrible meshbag ! It was one of those things which, when we first see them, we think we would give everything we possess to own, and in a week we hate the thing so badly that we would sell it for a penny to get rid of it. When Miss Sparken came to me to buy back her passage, she fell in love with it, and I—was only too glad to get rid of it.”

“ And just to think, Lindell,” commented Crosby slowly, “ by that same meshbag—at least by the name and

address you had engraved on it—I hoped to locate you in Australia.”

She stared at him, a little unbelievably. “How persistent you were, David, to have fought so desperately to find me. I can’t realize it. As to the name I had taken, it was Anne Wentworth, my mother’s two middle names. Her name, you see, was Marion Anne Wentworth Hazlett when she married my father in New Zealand. I had picked Aborigenn, Australia, a tiny crossroads mail post in the interior, as my future address, knowing that I had an uncle who lived some forty miles from this point. But as I say, I never reached there; never even sailed. Instead, I wound up in the hospital at San Francisco with a fractured ankle caused in a taxicab accident when I was changing my residence from the Market Street boarding-house to a new residence in Oakland, the same morning that the *Ocean Queen* sailed. That, of course, was why you found I had checked out the morning of the vessel’s departure. I was on my back for six long months. When I came out, my money was gone. And I went to work—now Anne Wentworth, yes—in the city of Oakland, in the country which I had ceased to care for.

“That closes the story,” she concluded sadly. “My plans for reaching Australia were never consummated. But my existence has not been a failure, either. I have drifted, as you might call it, from city to city, working in many places, sometimes for barely enough to support me—ten—sometimes nine dollars a week—but always at work that I craved—work which would raise me intellectually and spiritually. You would be surprised to know of the libraries in which I have been employed. I learned stenography and typewriting in Salt Lake City, and in Denver I was an amanuensis for several months to an old man who was a successful novelist. In Dallas, Texas, I took a course in dramatic art, and took one or two small parts in some private plays. But it was when I came to Chicago, some three months ago on my way across the country toward New York, that I stumbled upon a position that has supplied me with certain grounds of knowledge such as I have always hoped to have. The social graces, David, and all the things those words imply.”

Her face clouded. She was silent.

“Go on,” he urged softly. “Do you think that every



word about the girl I love—whom I have loved through all these years—is not precious to me ? ”

She gazed out of the window into the night for a long time. “ It is hard, David, quite to open the arms to one who has allowed one’s life to be so disgraced as mine was. It is not something that comes about quickly and easily. Oh, David, I too cared—cared so much, and because the man I cared for refused to fight for me, it made it all so hard, so bitter.”

“ But you still do care ? ” He leaned forward. He gripped her white hands till marks showed upon them. He gazed hungrily into her big brown eyes. “ Lindell, I am on the road to success—big success. My practice has climbed steadily. Everything lies in front of me. Everything——” He stopped short and his face clouded as the memory of this day’s two developments in his life rose like a black spirit. But he thrust it forcibly away by an effort of will, as one holds off a superior antagonist. “ Dear, dearest—can we not somehow forget the past together ? ”

“ Perhaps we can,” she said softly. “ Perhaps we can.” She paused, thinking. “ David, I have spent all afternoon since leaving you with a woman who came at once to my room after the court session was over, and this same woman is coming here in a little while to talk with us both. Once in your life, David, you failed completely to fight for me—and five years of my life were changed and embittered. Now you can make up for it if you will—if you can use all the ingenuity that is in you. This woman is my dearest friend, Mrs. Hester Cornell. I was working for her as a sort of social secretary and companion, and I thought she had left Chicago, but it appears now that she had only slipped away to a downtown hotel, from which she could go each and every day to the trial of Mr. Chalmers, beginning with the date on which the jurymen first began to be selected. She tells me that she did not miss a day, an hour, a minute of the first Chalmers trial. She told me everything to-day, after she saw no one else but her own secretary and companion rise up in court and give testimony by which Mr. Ballmeier is trying to prove that the defence has abducted the State’s chief witness. And oh, David, if she was surprised, you can imagine how surprised I was ! I did not dream but that you were still picking away at the law, down in Brossville.”

"Well," he said, "you evidently reached Chicago since the first Chalmers trial, and so far as I know my name hasn't occurred since then in the public prints. But please go on, Lindell. Tell me about this Mrs. Cornell."

"Well, David, she disclosed to me facts about Mr. Archibald Chalmers. If what she says is true, then Archibald Chalmers is not guilty of the murder. He cannot be. And, David, if you love me as you claim you do, fight for him now as you never fought for me. Save him, David, because you are saving Hester Cornell, the finest friend that I have ever known in my life. This, David, is payment for the bitterness of my own life."

A silence followed her long statement, and it was broken by a light tapping on the door. Crosby rose from his chair and crossing the floor quickly threw it open. In spite of the decided interval since that day of the first Chalmers trial when he had seen what he called "the veiled woman" raise her veil on the steps of the Criminal Court Building, Crosby recognized her at once, and as her eyes rested a second on Lindell Trent seated near his desk, she stepped in and took his outstretched hand in her gloved one.

"I am so glad to meet you personally, Mr. Crosby. And equally glad at last to be able to have a talk with you." She turned to Lindell Trent, who had now risen and had taken up her velvet bag. "No, Lindell, you too can stay, dear. We three shall talk it over together."

Crosby closed the door of the office and drawing over a new chair waited till Mrs. Cornell had seated herself. Then he dropped into his own. He was the first to speak.

"Mrs. Cornell, Miss Trent tells me that you have certain information in your possession which absolutely marks Archibald Chalmers as innocent of this murder. I have fought his entire case out entirely in the dark—never has he given me a single word of enlightenment as to that night. Now if I am even to try to save him, I must have this information."

The woman with the hazel eyes heaved a faint sigh. "Mr. Crosby, I of all persons in Chicago to-day know that Archibald Chalmers is innocent of that murder. He has remained silent rather than go on the stand and be forced to tell why he went that night to Rupert van Slyke's house. And all because he was trying to protect me."

She was crying softly now. Both Crosby and the girl waited until she collected herself. Then she went on a little vehemently. "Mr. Crosby, I am the cause of this whole terrible affair. If Mr. Cornell hadn't spent so much time away from me in South America, and if likewise Rupert—Rupert van Slyke—hadn't exercised all the fascinating influence over me that he did, oh—I never would have been carried away by his personality as I was; I would never have written Rupert all those letters of endearment. It was worse than folly. And I realized it only too well when Rupert demanded that we fly together to Japan; realized at last that I had been carried away from the love of a good man, a man who protected me and cared for me, for the love of an individual who really was the idler who neither toiled nor spun.

"Rupert declared that unless I went with him as I—I had promised in my letters, he would give those letters to the owner and publisher of *Town Tattle*, the disgraceful society sheet that is a black blot on the very name of society. And Rupert van Slyke would have done just what he said. I didn't know what to do. I realized too late that I was trapped. I pleaded and begged with Rupert not to do it, but he was adamant. It was Japan or public disclosure, he persisted. He gave me till January 28 to change my mind. In despair I went to Archie. He had always been such a dear boy. In our set they have never realized that he was anything more than merely a rich man's son, but I knew he was a strong character and that some day his strength would show forth. And he was the only friend I could count upon in this terrible thing. He went to Rupert and he must have first appealed to him and then later threatened him. They broke up in bitterness and hatred. That was why Archie must have made those threats to Rupert in the Sportsmen's Club which were later used against him. But Archie told me—Mr. Cornell was in Buenos Aires at the time—not to lose my courage. He told me that he would get back those letters from Rupert if he never accomplished anything else in his life.

"I lived in fear and trembling, counting on Archie all the time. Finally Archie told me his plan. And I, helpless, unable to think, prayed only to be extricated from the situation; made no remonstrance at the methods he intended to

employ. I only wanted to get back those incriminating love-letters I had fatuously written to Rupert.

"It was on the night of January 21—the night of the murder, Mr. Crosby—when I raised my receiver to ask the time of Central. She answered me that it was nine-fifty-eight. It checked by my wrist-watch. Just about sixty seconds later, for my hall clock was chiming, my phone rang. I answered it. It was Archie's voice. It was a little brusque, a little bit nervous. 'Mrs. Cornell—Hester,' he said, 'under no conditions ring my rooms to-night as you have done for some nights past.' I asked: 'Archie, where are you?' He said: 'In a drug store far out on the north-west side near —' Then I heard Central break in on the conversation and say: 'Will you kindly drop your nickel, please!' I heard him remonstrate with the words: 'But I have dropped it, Central.' And she got out of the connection as rapidly as she had got in. Then I heard the melodious sound of great chimes over the phone. I asked: 'What is all that chiming going on, Archie?' He replied: 'A church bell up the street is chiming the hour of ten. I'm surprised that you can hear it.' He paused and then added: 'Now remember, Hester, don't ring my rooms until to-morrow. I think to-night I'll get back those letters for good and all.' And he hung up."

Mrs. Cornell paused. "And there you have my story, Mr. Crosby. Those very chimes—the chimes of St. Ignatius' Church—which helped in the first trial to establish the exact hour when Rupert van Slyke was shot to death, were ringing as Archie talked to me on the phone."

Crosby leaned back in his swivel chair and wrinkled up his brow. Life to-day had been one complication after another.

## CHAPTER XXIV

### THE LONE GLADIATOR GIRDS UP HIS LOINS

**L**EANING back in his swivel chair, Crosby addressed Mrs. Cornell. "Now, Mrs. Cornell, you say van Slyke had only an unlimited service phone?"

"Absolutely," she averred. "If you will look at the telephone directory of the day of the murder, you will see that by his exchange."

"But you heard Central break in on your conversation with Mr. Chalmers at ten o'clock and ask for a nickel?"

She nodded, her fingers smoothing out the moist handkerchief she had used.

"I suppose you secretly investigated after the arrest to see where the nearest public coin telephone was?"

She nodded again. "A block away, Mr. Crosby, in a drug store on Belleplaine near Western Avenue." She paused. "And a man cannot cover a distance like that during the fraction of a minute that a church bell is chiming."

"No," he agreed. He thought hard. "It was Chalmers' voice on the wire, you are sure?"

"Absolutely," she said vehemently. "Even on the phone his voice is unmistakable."

Crosby glanced at his watch. "Now Mrs. Cornell, for Lindell's sake I am going to make a hard fight. I don't know whether I am even to get any sleep to-night. All I know is that I will have to work quickly if I work at all." He glanced at Lindell Trent and a look of pain came over his face. "I might viciously attack a certain State's witness to-morrow at heavy cost to the State, by asking that witness where she spent a certain part of her life around November, 1922. It would mean more sensation—but—well—it cannot

be done." He shook his head, gazing tenderly at the girl. Then he rose from his chair.

"I am going to ask each of you to excuse me now, for I must do a thousand things to-night before that trial opens to-morrow."

The two women arose. Mrs. Cornell gave him her hand without a word. Then she slipped from the room, leaving him alone with the younger one.

He thrust out his hand to Lindell. "Little girl of the olden days, this is all I dare ask—I who have upset your whole life so. But, Lindell, you have said, have you not, that if I can save Chalmers for Mrs. Cornell's sake, you will forgive and forget all? Is—is this a compact?"

Her eyes filled with moisture. "Oh, David, please do something—something! I have the same faith in you now that I had then. We cannot let an innocent man be convicted, nor a woman's name be bandied around in a court-room and in the newspaper."

He dropped her hand. "I will do my utmost, little Lindell, for you."

She smiled a wan smile as she turned in the doorway. A moment later the door closed softly behind her and he was alone.

He lost no time in raising the telephone receiver and ordering a taxicab. His brain was slowly quieting down now to the big task in front of him. He buttoned his gloves, took up his cane, and examined his wallet to see that he had plenty of cash on his person. And then the taxicab driver, cap in hand, came to the open office door. Crosby ordered the man to take him first to the county jail.

The night lock-up keeper was inclined at first to follow meticulously the rules posted up above the visitors' window, but Crosby's threat to call the judge in the Chalmers trial made him change his tactics immediately. And within ten minutes after leaving the Otis Building he was being locked in the cell with Chalmers.

"My God, Crosby," said that young man, white as a corpse, stopping his pacing up and down long enough to greet his attorney, "I've lived a thousand deaths since noon to-day. And you haven't even been near me. They—they've turned the whole case inside out on me—and—and I'm done for!"

Crosby dropped down close to him. He spoke firmly, but in a low voice. "You did a terrible thing, Chalmers, in putting John Carrington out of the case. Why did you do it?"

Chalmers sighed. "Oh, you ought to be able to see why, Crosby. I was desperate at the thought of forfeiting that half-million because I couldn't get an acquittal. I tried to sit by in dignified silence like an Englishman, and what did I get for it? Months more of hell. Now I determined to play the American game—the American way—hand out the money and rake in results. What was 50,000 dollars compared to a life of freedom plus an inheritance ten times as much as fifty thousand? But now——" He stopped.

"Well," commented Crosby sternly, "it's a mighty good thing I didn't know it. And the American way hasn't proved as advantageous as the dignified English way you were going before." He paused. He lowered his voice, although he knew that this precaution was needless with those thick brick walls, and that empty tier of cells across the way. "Chalmers, a whole host of things have happened to-day. For one thing, my South Sea Island scheme is exploded. The girl I have been searching for for five long years is found. I no longer need the ship which is promised as my fee in this case. And I am in serious trouble myself now, even under heavy bonds on a criminal charge—and all on account of Lipke's telegram signed 'Mabel Mannering' asking for 44,000 dollars, which I dare not explain. Lipke has been at my office and I have made him tell me all, and John Carrington is to be brought back to his home by midnight. Also, Mrs. Cornell has been closeted with me for an hour, and——"

"Hester—Hester has told you the facts?" said Chalmers, staring at his attorney.

Crosby nodded silently.

The lips of the young clubman tightened into a thin hard line. "I've fought for seven long months now without bringing her into it, and by God I'm going to finish the thing the same way. Damn them all, newspaper reporters and lawyers altogether, all they want is the name of a woman—a woman to centre their nasty notoriety around. But they'll not get it if I have to go on the stand and say I killed him for some money in his safe. They'll not get it. Her story shall go unheard."

Crosby said nothing in reply to the other man's excited outburst. Finally he spoke. "Chalmers, when that shot was fired at ten o'clock, you were a block away in a drug store, were you not? You were talking to Mrs. Cornell on the phone?"

Chalmers nodded, viciously thrusting back from his wet forehead his mat of thick uncut red hair.

"Was this before or after you came from van Slyke's residence?"

The answer was low. "Just before. I had just had the ill luck to meet John Carrington on Western Avenue, and worse, had had to sign up his subscription book. This set me to thinking. I knew my well-laid scheme would go further up in the air if Mrs. Cornell should phone to my rooms with my double lying on the bed in my room with the rubber face mask on. She had been telephoning me several nights around this hour. So I hot-footed it to the first drug store, and called her up to caution her."

"After leaving the drug store, you went to van Slyke's?" Chalmers nodded.

"At any time that night were you in that gangway at the side of the house?"

"Yes. It was my stickpin they found there," replied Chalmers bitterly.

"So you really went up the rear tree, did you? And you found the partly opened window, which was always left so on account of the overheating of the room?"

"Yes."

"Room lighted up, Chalmers?"

Chalmers nodded his head. "Yes. God—what I saw! He was lying on the floor, face up, a nasty bullet hole in his head, blood all down his face. I had fully expected to find an empty library. But there he was, dead, a corpse, shot down in his own home. His eyes were wide open with a stare that seemed to bore me through to the soul. I tell you, Crosby, I was panic-stricken."

"Where do you suppose the fellow was, at this moment, who subsequently grappled with Venson?" asked Crosby. "I believe your story, I'm frank to say, because you're in a panic and you're telling the truth."

"I am," averred Chalmers. "That fellow—he must have



been snooping around in the outer hallway trying to get the lay of that house. Now if he were somebody who knew the old van Slyke residence well, he would have escaped either by the elm tree, or else been out of the house long before Venson arrived back there, which was about ten minutes after ten, judging from Noonan's watch. In other words, he and Rupe knew each other, but he didn't know Rupe's house. Then—of all the damnable luck!—when he heard Venson come in the front door, he made a run for it."

"You went no further after you gazed in the room from the elm tree?" Crosby inquired.

Chalmers wiped off his damp forehead. "Go further? Me—go into a room with a murdered man? Not I, Crosby. I tell you I was weak all over for a few seconds. I forgot Hester—forgot everything during that long inspection. Then I wondered if Hester—if Hester had hired someone to go there and kill Rupert—if she had been the cause of his murder. I—I had a hunch that moment that for that bullet hole I would some day sit in a prisoner's dock, fighting for my life. As for the selling of her letters to *Town Tattle*—well, that was all over now."

There was silence. "I can't help but admire your grit, Chalmers, for protecting Mrs. Cornell as you have. I don't know that it's just to you, though, that you should risk electrocution for her folly."

"Say nothing against her," snapped his client angrily.

"No offence meant," said Crosby patiently. He could see that Chalmers was wrought up to the breaking-point, evidently having paced his cell all afternoon. He changed the subject. "In view of the fact that van Slyke gave up an important part in that theatrical performance, it would appear that he expected someone to call there that evening? Is this not so?"

Chalmers nodded half-heartedly. "Yes, unless it was spite work on his part."

Again silence filled the small enclosure. And again Crosby broke it. "Chalmers, that rubber mask and astringent treatment that your doctor put you on must have helped that damaged nerve of yours. Both sides of your face are firm and even."

"Yes," said the other, "but look at the abstemious life

I've been living here to boot. Ought to cure a nerve condition, let alone help it."

"Another question," said Crosby. "Chalmers, do you still want to hurt your appearance with the jury by your refusal to let the jail barber trim your hair?"

"To hell with the jury," sneered Chalmers, his bitterness evidently returning once more in an all-engulfing wave. "To hell with 'em all. That jail barber—that louse-covered prison bird? But what's it got to do with my case, anyway? Let's—let's pay attention to business."

"Yes, let us," agreed Crosby ingratiatingly. His forehead creased into tiny thoughtful wrinkles. "I have had a tip handed me that they have what they call the death car, Chalmers. In other words, your speedster which I proved in the first trial by Joe Skoggins, the negro garage owner of East 42nd Street, had been sold before the murder."

Chalmers' face was dejected, even sullen. "Oh, they've got everything, I guess," he railed. "Yes, I owned the speedster all the time. I used it the night of van Slyke's death—parked it on Western Avenue not far from where I met Carrington—but it's been locked up in its garage ever since my arrest." He shrugged his shoulders. "But you say the State's uncovered it. Well, it was due to happen."

Crosby sat thinking for a moment longer. Then he glanced down at his watch. He spoke.

"Now, Chalmers, I must go. I've got a dozen places to call at to-night. I've got to work hard if I expect to find daylight in this thing. So for the present I'm leaving you. Hold your nerve. I'll not put Mrs. Cornell on the stand so long as you refuse your permission. But I have a faint idea or two concerning this case that's trying to batter its way into my brain." He rose. "Good-bye." He thrust out his hand.

Chalmers emitted a long, despairing sigh. "Good-bye—and go to the devil. Oh no, I don't mean that, Crosby. I'm nearly crazy now. Save me, Crosby. Save me, will you? I didn't kill van Slyke. I swear it. Or—or now that you no longer need that ship specified in our contract, maybe you're no longer interested in me and my case?"

Crosby paused, his hand on the iron door that the summoned jail guard was just unlocking.

"Chalmers, I am more interested in your case to-night than at any time in our past relationship. Be assured of that." He whisked himself rapidly away down the corridor and out to the waiting taxicab.

Once outside, he ordered the driver to carry him to 4240 Drexel Boulevard, the address of Chalmers' bachelor apartment. The trip consumed eighteen minutes. Arriving there, Crosby rang the bell. It was Oscar Okerburg, the valet, who answered the door, and he ushered Crosby into the parlour where Mrs. Morely, the white-haired old housekeeper, sat rocking back and forth. Crosby lost no time in getting to the point.

"Okerburg, I see that you have to-night's paper on the stand over there; so I dare say you've read to-day's testimony. Now about your own testimony in that first trial. When you stated that Archibald Chalmers lay on his bed in front of your eyes all evening, were you stating your own conviction? You will remember that you said nothing about the rubber complexion mask, either to me before the trial or to the jury during the trial."

Mrs. Morely answered for him. "Oh, sir, we neither of us dreamed that anyone but Archie lay on the bed. The flaming red hair, the red and purple felt slippers, the bath robe, the book, the incessant cigarettes—we just knew it was Archie. It was Oscar who told me, when we first talked together after Mr. Chalmers' arrest, that so long as we knew Mr. Chalmers hadn't been out of the bedroom, the best thing we could do for his case was not to mention a word about the rubber mask."

Crosby turned to the high-cheekboned valet. "So you thought you were telling the truth anyway? Yet you knew, did you not, about the existence of this Jordan Jones, the former marine, who is a double of Mr. Chalmers?"

"Of course I knew about Jordan Jones," assented the valet. "Both Mrs. Morely and I knew of him, for Mr. Chalmers just about this time was taking flowers to him in the hospital. But this Jones, you see, has an artificial foot, and his hair isn't red. It's black as coal."

"I see." Crosby rose. "Well, that's all, I guess. I was pretty certain that both of you people believed your own story implicitly. That's all. I'll be going now."

And back again to the waiting taxicab he went.

This time he returned to the Otis Building and dismissed his cab. Upstairs in his office he paced up and down, up and down, thinking, pondering, reflecting.

At length he rang for another taxicab, and was waiting down in the street when it drew up to the curb. This time he drove clear out to the 32nd Precinct police station into which the murder alarm had gone that fateful night from the van Slyke residence near-by. He was closeted for quite a while with the switchboard operator, a young fellow who wore a green celluloid shade over his eyes and gave the very Scotch name of Andrew McTaggett. And when Crosby left McTaggett and the station as well, his face was set in more rigid lines than ever. And again back to his office he drove.

It was now close to eleven o'clock at night. He raised his telephone and calling the nearest A.D.T. Station, asked for one Jimmie Higgins. After he hung up, he worked for several minutes under the hanging light above the stenographer's desk, and finally evolved on a perfectly blank sheet of paper a cryptic typewritten message which read :

Watch your step. Plans are already made to arrest you for the van Slyke murder, on the theory that you intended to rob him. You are under surveillance now.

A FRIEND.

Typing a blank envelope with an address which he secured from his notebook, he sealed up his brief communication. The thin weazened face of the boy in the blue messenger cap who came to the door of the office ten minutes later brightened up at the sight of a five-dollar bill in Crosby's fingers, and he listened attentively to the latter's words.

"Now, Jimmie, you're always experimenting around trying to be a detective ; so here's your chance to do some legitimate detective work. I want this sealed note put into this person's fingers personally, and before any chance arises for any questions to be asked of you, I want you to do the vanishing act. If you deliver it safely and to the right party, no need to report back to me. If by any chance you can't, write a report and drop it through the slot of this door. But you

must never say 'can't' in detective work, my boy. Deliver the note. That's what you must do."

"Leave it to me," said Jimmie Higgins confidently. "I'll show you whether I'm goin' to make good at the detekative game, Mr. Crosby. And thanks for the five."

With Jimmie's departure, trailing behind him a lively whistle, Crosby, consulting again one of the papers in that yellow folder, raised his receiver, and called a single number in Englewood. Getting his party after some wait, he gave his name and the single cryptic order:

"I have decided to use you after all, professor. Will you therefore be at court to-morrow?" And getting the assent of his mysterious party, he hung up.

Now he consulted a large city directory on the stenographer's desk, whistling a low but equally satisfied whistle as he did so. Finally he found what he wanted, and again he rejoined the patiently waiting cab. This time he drove straight out west, and it was exactly midnight when he reached number 1235 Tripp Avenue. A tiny cottage, painted green, stood at that number, and he was out in no time ringing the old-fashioned twist bell that he found there.

It was a full hour before he emerged, but this time there emerged with him one more person, the latter carrying a small hastily packed handbag; and together the two entered the waiting cab.

Clear to the north side the cab took them now, straight into Crosby's own residence district where he was acquainted. At a dark store on Division Street the sign on which proclaimed jewellery, watches, diamonds and alarm clocks, Crosby rang a bell which led to a flat above the store. They ascended the stairs. The bald-headed man who came to the door clad only in his nightshirt was manifestly alarmed until he caught sight of Crosby's face under the gaslight in the hall. Then, with a look of recognition, he politely threw open the door and ushered his visitor into his flat.

Again a full hour passed, filled with much talk all round, and many sheets of paper and diagrams. And when Crosby and his companion again went to their taxicab, the bald-headed man was climbing into his trousers and getting out the key to his shop.

From here they drove to the county jail, but ten minutes distant, and Crosby hopped out and entered it, where he examined the register of day employees. Fortified by a certain name he re-entered the cab and again they drove off, this time out on West Chicago Avenue.

It was three o'clock in the morning when they reached a little stucco bungalow, and this time they had to ring long and hard before they got an answer. A frightened man and woman answered the door. Crosby spoke.

"Mr. Casey, this is Mr. Crosby of the Chalmers case. May I see you for a few minutes. You're the deputy, I believe, who handles Mr. Chalmers to and from the jail building, are you not?"

Mr. Casey promptly ushered his visitors in, and again a full three-quarters of an hour passed, the woman peeping inside the front room while her better half, clad in his bathrobe, listened attentively and talked a little. At last Casey rose.

"Well, I'll do it," he said. "I don't see no reason why not. 'S in th' int'rursts o' justice, I reckon. Yep, you can count on me. Be at the place I told you of no later than six in the mornin' sharp."

Out in the hall of the tiny bungalow, Crosby looked up in the classified telephone directory, and finally rang a number. He heard the buzz of the bell in the receiver for a long time before the answering click came. He spoke.

"Mr. Hans Smelz?"

"Me? Yah, I am Hanz Smelz."

"Mr. Smelz, I have an important piece of work in your line that must be done to-night. If you want to make a mighty good piece of money, I'd suggest that you open your shop at once and be prepared for visitors. How about it? If you don't want the job, I'll call someone else."

"Vork? Tonide?" It was plain that the phlegmatic German mind was trying to correlate all the surprising details. "Sure I vork. Sure I open der shob if you bay me. Come. Der shob he iss here under me—on Vest Madison Streed. I wait downstairs."

And as Crosby and his companion entered the taxicab, the man Casey watching them off from the door of the bungalow, he spoke to the cab driver.

“Take us now to 1956 West Madison Street, please. And better make good speed if you can.” He turned to his companion. “We may snatch a bit of sleep yet to-night in my rooms. It’ll be a good thing, for to-morrow is the big day !”

## CHAPTER XXV

### THE FIFTH ACE IN THE GAME

THE second day of the second trial of the Chalmers murder case opened with grey skies in which, though bright enough in themselves to illuminate every corner of the court-room, an ominous dark cloud scudding every now and then across the heavens suggested that sometime that day a terrific downpour of rain was going to take place. The sensational newspapers had spared nothing on yesterday's heart-breaking testimony for the defence, and perhaps it was for this reason, that the world likes to see the under dog—or the under dog's lawyer!—fighting a hopeless battle that caused spectators to stand packed shoulder to shoulder around the open doors and jammed two deep in the back of the court-room.

Immediately after the tap of the bailiff's hammer, Judge Lockhart spoke.

"On the matter of yesterday's testimony given by one Miss Lindell Trent, I am going to reverse my earlier ruling and allow both this and the spurious telegrams from New York City to be entered as evidence in this case. It seems to me that we are facing one of the most well-defined cases of perjury and collusion of the last ten years." His voice was stern and ominous. He glared down through his eyeglasses at Crosby, who remained stiff and unmoved under the scrutiny.

Crosby rose. "On the termination of court yesterday, the witness Miss Trent was excused to the defence. The defence does not wish to cross-examine."

He sat down, and a visible wave of disappointment rolled over the crowd. Their countenances reflected their belief that the defence was now lying down in the face of defeat, that David Crosby had at last met his legal Waterloo.



"Call Edward Venson," said Ballmeier, humming a little tune under his breath.

Edward Venson, van Slyke's houseman and servant, ascended the stand with the typical servile mien that had characterized his original appearance.

His testimony was a repetition of that given in the first trial. Once more he told clearly how he had chatted with Noonan, the officer of the beat, at the mailbox until Noonan's watch showed the time to be five minutes after ten; how he had then returned to the house and entered the front hall door, only to become the target of a mad rush down the stairs of the red-haired man with whom he had grappled, but with no success; and how he had picked himself up and with face scratched and bleeding and collar torn from his neck had gone on up the stairs only to find his master dead on the floor, in a pool of blood; and how he had then called up the police station to give the alarm. At the conclusion of his testimony he waited politely for any question which the prosecutor might ask.

"Will you kindly look about you in the court-room," Ballmeier requested, "and tell the jury whether you see the man who grappled with you in the lower hallway?"

Venson nodded toward the prisoner's table. "That is the man—to your left—the one with the red hair."

Ballmeier heaved a sigh like that of the busy man who is being bothered with a lot of unnecessary detail work. "Excused," he said, and turned to his portfolio of papers.

Crosby rose.

"Mr. Venson," he asked, "in your association with Mr. Rupert van Slyke as his employee, did he ever discuss or mention casually to you any facts concerning his ancestry, or particularly incidents or people with whom Captain William Kidd was associated?"

"Just what facts, sir?" asked Venson mildly.

"Well," said Crosby ruminatively, "such facts as——" He gazed at his folder. "If you will now turn over the witness-chair, Mr. Venson, to Professor Brown, so that I may place on record as exhibits or testimony, as the court sees fit, certain bits of history, I—— Thank you," as Venson climbed down. Crosby turned to the clerk of the court. "I would now like to have Professor Percival L. Brown."

Professor Percival L. Brown was perhaps the most unlike individual one would ever expect to see qualify as expert on piracy, buccaneering and other super-masculine amusements of the high seas. A little frail man, with fragile pince-nez held to the buttonhole of one coat lapel by a black silk cord, a violet in the buttonhole of the other lapel, dainty moustache, and eyes which twinkled with kindly humour, he presented the very antithesis of the type of man about whom he held the reputation of being a world authority. In qualifying as an expert witness, he declared modestly that he was Professor of Mediaeval History at the University of Chicago; special instructor in History-30, the same being the chronicles of man during the seventeenth century, and author of many works on piracy and buccaneering.

"Professor Brown," said Crosby, "as a long student of pirates and piracy, would you say that Captain William Kidd was a pirate?"

"He was a pirate," declared the Professor simply.

"On what basis have his defenders striven to make out a case for him as an honest man?" asked Crosby.

"Well," said Mr. Brown reflectively, "Kidd, when he was sent out by the King of England and certain other lords to exterminate the pirates on Madagascar, only subsequently as we know to make friends with them, carried letters of marque authorizing him to prey on French vessels. His defenders invariably claim that in the case of ships which he plundered, he had been presented with French passes. However this may be, his legitimate seizures and his illegal ones have complicated the picture presented by the man."

"Was Kidd a murderer?" asked Crosby.

"Not in the sense that he sunk his captured ships or caused their crews to walk the plank, as it is termed," the Professor explained. "He always turned them loose and relied on his story of having been presented with a French pass."

"Outside of this humanitarianism which we may put down to a wholesome fear of the gallows at Execution Dock London," Crosby went on, "was Kidd a murderer with respect to his own crews?"

"Well, he killed his gunner with a blow of an iron-bound wooden bucket merely for protesting at being called a 'lousi

dog.'” The Professor with a faint flicker of a smile spelled the last epithet after pronouncing it.

“Who was Captain Josiah Quarlbush?” asked Crosby.

“Captain Josiah Quarlbush was an English mariner—one of the various figures moving in Kidd’s colourful day—a relatively unimportant figure, however. He was impressed into Kidd’s service and was associated with Kidd for some five months.”

“From what records extant to-day have you derived what few facts you have concerning Captain Josiah Quarlbush?”

“We happen to have a portrait of the man done in oils by Sir Peter Lely, long since dead, of course; this painting is preserved in the National Gallery in London, and is entitled simply ‘Portrait of a Mariner’; it has been preserved not because of the sitter, but because the artist himself achieved fame and because it was an essential link in the evolution that was to produce Gainsborough and Sir Joshua Reynolds.” The Professor was now opening his book to where a white cardboard marker protruded forth.

“Will you be so kind as to allow the jury to see the coloured reproduction in your book entitled ‘Salt Water Portraits of the Seventeenth Century,’ taken directly from this painting by Sir Peter Lely.”

The jury was now craning its necks, a puzzled expression on its collective face, and Crosby took the open book from the Professor and handed it to the first jurymen. The face depicted on the open page was not new to him now, but it still presented a striking picture as he glanced momentarily at it. A man of perhaps fifty years of age looked forth from the highly calendared page, a man who was rugged, red faced, and bore twinkling little blue eyes. His egg-shaped head was bald and sunburned, and gave that part of him the appearance of a Capuchin monk because the baldness was ringed about by a fringe of hair not quite so black as his square-cut beard. The jury was now passing the expensive book gingerly from hand to hand; so Crosby went on with his peculiar examination.

“Will you, Professor Brown, relate in your own words what very little is known of Captain Josiah Quarlbush?”

“Gladly.” The Professor crossed one neatly pressed trouser leg across the other. “It appears that sometime in

the year 1698 there appeared in Bombay at the offices of the British East India Company one Captain Josiah Quarlbush—the same individual whose actual portrait the jury is now viewing—asking for a minor berth with the company's Eastern branch. The man was badly mutilated, being minus his right leg and minus his right hand. It appears that he had been captain of the *Sea Swallow*, a sort of free-lance vessel carrying goods for the British East India Company. He had owned a large share in the vessel, but Kidd had sunk it in the Indian Ocean. Its crew was picked up by Kidd, including Captain Josiah Quarlbush, to whom Kidd took quite a fancy, even making Quarlbush a first mate of his ship, *The Adventure*, and promising him an equal share with the other officers of the plunder achieved by *The Adventure*. A thick friendship sprung up between them, and Captain Quarlbush was still with Kidd when Kidd went to Madagascar the first time and refused to take the notorious pirate Culliford whom he had been sent out for the express purpose of capturing. Coming out from Madagascar, however, it appears that Kidd began to see signs aboard his vessel of a rebellion or mutiny brewing. Kidd apparently fixed on his new protégé Quarlbush as the leader of the mutineers. Perhaps the man was. Perhaps Kidd's sailors were only trying to induct him into their cause. There is no telling. Whether or no, Kidd cold-bloodedly marooned him on a narrow key or barren stretch of rock just off the great island of Madagascar and sailed on into the Indian Ocean without him."

"And what happened to Captain Quarlbush then?" asked Crosby quietly. The last man on the jury had now viewed the coloured portrait of the little red-faced, egg-headed man with the square-cut black beard who was the subject of this rather bizarre testimony, and they were listening intently.

"Captain Quarlbush," declared Professor Brown, "remained on this barren key for some three weeks, and then made a desperate attempt to gain the mainland—Madagascar, of course—on an outfit made from an old ship spar lying there. He made it, but at a terrific cost, for on the way he was attacked by sharks, his right leg was bitten off, and his right hand chewed almost through at the wrist. Lucky for him it was that Bradingham, the surgeon who deserted Kidd on Madagascar—the same very important figure in Kidd's

history, who later was picked up incognito in London and whose testimony helped to indict Kidd for piracy—was near-by Quarlbush's landing-place and saved his life, closing up his leg with the red-hot-iron treatment and amputating Quarlbush's hand with an old caseknife. We moderns could not live through such surgical methods, but those old mariners appear to have been able to survive anything, for three months later Quarlbush, a crude wooden leg strapped to his stump, his precious right hand preserved like a pickle in a stone jar of Jamaica rum, disembarked from a vessel at Bombay.

"Quarlbush asked for work," the Professor continued, "and the Bombay agent of the British East India Company, 'appreciating his knowledge of teas and spices, silks and calicoes, of shipping and shipping methods—and moreover a very important thing, his first-hand knowledge of Kidd's psychology and the pirate's habits—put him in charge of one of the company's Eastern stations. Here the correspondence ceases, and we may presume that Captain Quarlbush fared more happily on land than he did at sea, and that he waxed fat and lethargic, with the stories of his adventures probably growing every year into fearful and wondrous yarns.'" The Professor half-smiled and paused. "This is the extent of our information about this one particular unwilling associate of Captain Kidd."

Crosby gazed out of the court-room windows for a moment. The grey skies still maintained their greyness, and an occasional dark cloud still scudded across them at intervals.

"He hated Kidd now, I suppose?"

"It would be presumed so," said the Professor impartially, "since he had been despoiled of his vessel, had lost his share in it, then promised a reward by Kidd and a share of the latter's loot, then cheated out of that and marooned, only to further lose a leg and a hand in addition."

Crosby looked down at his papers. "Excused, Professor. I would now like to have Mr. Venson recalled so as to continue our questioning as to Mr. van Slyke's knowledge of any of these facts. I——"

"Just a minute," said Ballmeier, advancing to the fray. He directed his address to the judge alone. "Your honour, I have a legal right to cross-question this witness now, instead of waiting until my opponent finishes with our witness Venson."

However, I am not going to do so. To cross-question on this matter now is to clog the courts and hinder justice which at last is being meted out to this roué and reprobate, Archibald Chalmers, sitting over there and taking everything in as calmly as a man innocent of actually tampering with the courts. All this testimony, your honour, about Captain Josiah Quarlbush and his pickled hand and all the rest of that fol-de-rol is immaterial and irrelevant, and I ask that the whole of it be stricken from the record."

"I'm afraid so," pronounced Lockhart, gazing down severely at Crosby. "In pursuing such a line of testimony, we are getting entirely away from the known facts of the matter." He nodded sadly to the court stenographer who had paused, pencil in hand above the offending pages. "Strike it all out." And the pencil descended in long vertical swoops.

Crosby smiled a strained smile. "Very well, your honour." He turned to the clerk. "I will continue then with my questioning of Mr. Venson."

So Venson, the dead Rupert van Slyke's servant whose cross-examination had been interrupted so that the dainty little Professor from the University of Chicago might interpolate some facts as a basis for further interrogation, again ascended the stand and settled resignedly in it.

"Mr. Venson," began Crosby, "did your master, Rupert van Slyke, ever discuss with you any of the facts of his ancestry?"

"No facts, sir, other than that he was Captain Kidd's only living descendant."

"Ever mention a name—Captain Josiah Quarlbush—which formed part of the complicated and multi-coloured pirate picture of the late 1600's?"

"Never, sir."

"Very well, then. That disposes of that. Now before this syndicated article was published all over the United States revealing that Captain Kidd had one living descendant, Rupert van Slyke of Chicago, did Mr. van Slyke then freely admit he was Kidd's only descendant?"

"I could not very well say as to that. I was not with him, you see, until after the article was published and the facts were then public property."

Crosby gazed down at his folder. "That's right—you're correct, Mr. Venson. You came to work for him, I see, directly after the article was published. From Cincinnati, I believe?"

"Yes, sir. I worked for Mrs. Daniel Eggerston, the widow of the famous schoolbook publisher of that city."

"Where was the advertisement published which you answered in getting the van Slyke job? That is, not which specific paper, but in which city, Cincinnati or Chicago, did the ad. appear?"

Venson paused a moment. He was a bit apologetic. "Neither city. There was no ad."

"You got the position through an employment agency?"

"No, sir."

"But we are not to infer that you went to an unknown door, knocked, and asked for a job like a beggar might ask for alms?"

Venson did not get angry at the imputation, but made a definitely negative gesture with his head indicating that the lawyer was overlooking more logical interpretations of his testimony. "I did neither, sir. I had seen the article in Cincinnati; so when I came on to this city I got an interview with Mr. van Slyke and told him that I knew of a man in Cincinnati who had a log-book from one of Kidd's voyages. He was very, very interested. Naturally when I also added that I was out of work and looking for a houseman's job in Chicago, he gave me a berth at once."

"Did the log-book turn out to be satisfactory? Genuine, and all that?"

"Well, sir, it didn't materialize. After Mr. van Slyke ran it down, he found that the man I spoke of had sold it, and the new owner's name wasn't known."

"But come now, Venson, be frank with us, as we are trying to be fair with you. Just to save yourself embarrassment, don't complicate the problem by tossing in a log-book or any other article. As man to man, isn't it a fact that you made up this story about the Kidd log-book in order to get a job with a man who would naturally be interested? Isn't it a fact that you got some friend in Cincinnati to help you out by claiming to have owned such a relic?"

Venson pondered for a long moment, as though deeply

considering the pros and cons of the thing. When he at last did answer, he answered with the reluctant capitulation of one who saw the futility of trying to maintain now the story he had given to van Slyke. "Well, sir, I will be fair with you. I testified just a moment ago only as to what I told Mr. van Slyke. That was true. As a matter of real fact, I did use the log-book story as a lever to get a berth."

But his mild admission, destroying as it did the existence of the Kidd relic, brought from Crosby a next question whip-like in its speed.

"You possess a particular interest in piracy, Mr. Venson, that you are able to fabricate stories of log-books and so forth?"

"No, sir. Neither piracy nor the doings nor the people of the 1600's are of any interest to me."

"Then why did you give up a berth in Cincinnati and come to Chicago within one week of the date you read about a descendant of Captain Kidd living here? What morbid fascination drew you to give up security for insecurity?"

"No morbid fascination at all," replied Venson with imperturbability. He made a resigned gesture with his hands. "I gave up my position in Cincinnati because old Mrs. Eggerston was getting cantankerous. I went to work for him for less than I worked for Mrs. Eggerston, and I'll say that even when he was drunk he was more satisfactory to get along with than she was."

"All right, Venson," Crosby grinned. "After this is published in to-night's papers, don't ever try to go back to Mrs. Eggerston. She'll have you tossed out." The spectators laughed. "So you have no interest in the 1600's or piracy. Ever have any relative arrested in any city for hijacking a truck of liquor on the broad highway? I have records of all such arrests, by the way, so be frank with us!" Crosby glared as balefully as he could at his witness, realizing that the amount of records of such possessed by him could be written on a match-head.

Venson laughed a bit bitterly. "I'm glad you have," he said. "For I've no living relatives whatever. None whatever."

Crosby accepted the other's covert thrust in good spirit. Cross-examination was give and take, more often than not.



"Ever read the nickel novels about pirate life on the high seas when you were a boy?"

"I object!" shouted Ballmeier, "to the defence attorney's badgering of the witness. It's all done, your honour, to string the testimony out in the newspapers and reproduce his own name more times—to squeeze publicity for himself out of this trial. Anyway, the only lines of nickel novels ever issued were *Buffalo Bill*, *Diamond Dick*, *Old Sleuth*, *Old King Brady*, *Nick Carter*, *Frank Merriwell*, and *The Liberty Boys of '76*. There were no nickel novels about pirates."

The judge half-smiled. "Objection sustained."

Crosby smiled too. "I'm content then to let the question ride, in view of the State's attorney's wide literary accomplishments and his own answering of it." He turned to the witness. "All right then, Mr. Venson. We'll drop this unfruitful line of questioning, and get back to our mutton—as they say—the night of the murder." He pondered a second. "Mr. Venson, when the murderer came rushing down the stairs, what was the first thing that impressed itself upon your vision? The red-hair, I presume?"

Venson, mollified by the conciliatory tone, nodded. "Yes, sir. The red-hair."

"But not until you grappled were you really close enough to get a good survey of the cast of features?"

"You have about stated it, sir."

Crosby reflected a moment. "Now, Mr. Venson, the only acceptable theory which either the State or the defence has yet been able to construct in this case is that the murderer, after beating his way past you, skipped down the front steps and around through the gangway at the side of the house, dropping his stickpin in this manoeuvre. Would you consider that your grappling with him was the factor which caused it to come loose?"

"Might have been, but I would not say for sure," said Venson calmly.

Crosby turned to the court clerk. "May I now request for a few seconds the stickpin which was entered in the first trial as Exhibit No. 1." He paused, until the clerk handed to him a glittering stickpin from which he first removed a huge numbered tag. Crosby then turned to Venson with the pin in his hand. "Now, Mr. Venson, I am going to ask you to be

kind enough to show the court exactly how you grappled with the fleeing man, using the defendant himself, stickpin and all, to make the conditions as much like the original circumstances as possible." He leaned over the prisoner, fastening the stickpin loosely in his neat black-tie. "Go to the witness-box, Mr. Chalmers." The entire court-room leaned forward. A hush like that of the stillness of the woods dropped upon the room.

Venson confronted in the witness-box with the man he had identified, glared at him in unfriendly mien. For a second he surveyed the other sullenly, and then, leaning forward, but lowering his body appreciably so that his own head came slightly under the head of the other, placed his hands gingerly and loosely on the throat of his opponent. "It was this way," he said. "He was a step or two above me. He reached out to strike me in the face, and I tore at his collar."

He held the posture. The court and the audience gazed on in silence.

"You gazed upward as you clinched?" asked Crosby.

Venson nodded.

"Show the court exactly how you looked upward."

Venson demonstrated, his face gazing steadfastly into the face above him. It was plain that neither man liked the procedure.

"Was your thumb as close to the stickpin as you have it now?" asked Crosby curiously. "Please note the relative position of the two well, Mr. Venson."

Venson surveyed both his thumb and the stickpin. "Might have been," he said. "I don't remember." He loosened his grasp on his opponent's neck.

Crosby nodded toward the witness-box and inclined his head back to the table. "That's all, I guess, Mr. Chalmers. You can take your seat." And within the fraction of a minute Venson was again alone in the box. Crosby leaned over and withdrawing the pin from the necktie of the man who had now returned to his side, held it in his hand as he talked to Venson.

"What points in particular about the defendant's face, Mr. Venson, so impressed themselves upon your mind as you grappled that you were able to identify him in court here at both trials? Will you enumerate each and every one without omitting any."

Venson stroked his chin.

"Well, in the first place," he said at length, "the pin itself, if you want to consider that. There was the brilliant red stone surrounded by the circle of little green emeralds, which I understand was identified as Mr. Chalmers' stickpin afterward. Then I could see, considering we was both under the gaslight, the white scar over his right eyebrow, gleaming like a piece of thread. And as he turned his head to throw me off, I could see that the lobe of his left ear—well, that it didn't have any lobe like an ordinary ear. That—and the bright red-hair—well, that's about all."

Crosby turned to the table. "Prisoner, rise."

The men between him and Casey arose. Again that tense suffocating stillness covered the court-room.

"Mr. Venson, this stickpin which you just identified as being in the tie of the red-haired man with whom you grappled, and which you think I took from the court clerk over there, happens to be a pin which was made at four o'clock this morning at a jewellery store on Division Street. As you say, it's a red stone surrounded by green brilliants." Crosby held up his other hand which thus far has been clenched. "But here's the one which was found in the gangway and which the clerk just handed me—a pearl surrounded by topazes set in silver. Now as to that scar over the left eyebrow and the missing lobe of the ear—well, Mr. Chalmers is marked in neither of those two ways. You have just identified a man who at the time of the murder was in the hospital. Mr. Venson, Mr. Ballmeier, and your honour, this man is Jordan Jones, an employee of the United States post office, a former member of the United States Marines, and sometimes known as Mr. Chalmers' double. His auburn hair was made in a West Madison Street wig shop at dawn to-day." And with these surprising words Crosby reached forward and snatched from the supposed defendant's head a bright red wig, leaving a much embarrassed young man standing there with closely cropped coal-black hair, yet a remarkable picture of Archibald Chalmers in his face at least.

Crosby pointed his finger at the man Venson. His voice thundered now, thundered so loud that the man in the box cringed.

"Venson, I've got you. I've got you dead to rights at

*Don't forget  
whereas  
would be  
not permitted.*

last. It's been hard work, but I've got you, my man. It's you, you vile perjurer, who have been the real liar in this entire case. You never grappled with any man at the foot of that staircase. It's you who fired that shot—who killed Rupert van Slyke in cold blood—you with your cracked brain actuated by a hatred whose source no one in this room but the defence knows at this moment. No—wait—wait," Crosby warned, holding up a hand as the man in the box half-rose to his feet, five white fingers clutching the rail, eyes staring forth in bewilderment. "I'm not done, my man. Don't cast about in that brain of yours for a way out, because your opportunity's gone—and there is none. You, Venson, will never know what led me last night to be practically certain that your story of the red-haired intruder must necessarily be a fairy tale; to send you that anonymous telegram—yes, Venson, I'm the author of that telegram which scared you into breaking your own story to-day by your too painstaking efforts to prove it true, and yet kept you from fleeing the town because you thought that detectives were watching you. Your story? It's broken, Venson, by a red wig, a spurious scarfpin and a facial double. Your alibi? Ah—broken also now, Venson; jerked out from under you. In a few minutes I'm going to put on the stand Andrew McTagget, the switch-board man at the 32nd Precinct station, who will show by the records posted in the book there that on the night of the murder, on which McTagget's substitute was on duty at the switchboard, Noonan rang in his six, seven, eight, nine and ten o'clock calls *not* at six, seven, eight, nine and ten, but at exactly twenty minutes to six, seven, eight, nine and ten! Noonan's watch was fast that night, Venson, and if you left him by five minutes after ten by his timepiece, then when that shot was fired you were back in the house alone with van Slyke. But the motive? Heavens, Venson, how I gave you your chance to-day, to come clean about your morbid interest in pirates—and particularly Captain Kidd or his descendants. But you cunningly thought you were safe and took a fool's refuge in denying all such morbid interest. No interest, eh? Then would it be of interest to *you*, Venson, to learn that since that last trial I have had genealogical investigations made of everybody who has had any business or social relations with Rupert van Slyke, sole descendant of Captain Kidd?

I see it does, Venson. Those bulging eyes of yours show me it does. And so you must guess the truth, that those investigations brought me only too easily back to your grandfather Rodney Pettigrew, a butler of Cincinnati, and in turn back through his mother Celia Hargreaves to her grandmother in Edinburgh, and thence as easily to Marley Quarlbush of Folkestone, England—the son of Captain Josiah Quarlbush. Ever hear of Captain Josiah Quarl—ah yes, Venson, you heard about him here to-day, didn't you? The sea-going individual whom the State's attorney spoke of as the gentleman with the pickled hand! At least, Venson, you were kind enough to admit that you had no living relatives. And right you were there. For you were the only living descendant yourself of the man who hated Captain Kidd as much as anybody ever did in this world. And you came down yourself from a poor and impoverished family that has never had a shilling, didn't you? And so we've got the third angle of our triangle—the motive—a feud of the Indian Ocean carried ten generations down by a penniless, worthless descendant of a worthless family who always considered themselves as ruined by Captain Kidd, against the wealthy and affluent scion of Kidd himself. God knows, Venson, it's a bizarre enough motive, but it's made worse because you hid it—because you concealed it. And in the triangle of which that is but one corner, we've two other corners now to back it up. Don't forget that! In fact before you leave this court-room, two detectives from police headquarters will be here with a warrant charging you with murder in the first degree." He turned to the two blue-coated attachés of the court-room, and his voice rose to an even more dramatic pitch than at any portion of his amazing presentation of facts. "Kelly, Rourke, arrest Edward Venson for murder as he steps down from that witness-box. The warrant is on its way."

Not possible to  
arrest for identity  
that night

Wouldn't  
have  
been  
there  
if  
not  
for  
the  
warrant

## CHAPTER XXVI

### ACROSS THE CENTURIES

THE man Venson who, even at the beginning of Crosby's terrific arraignment, had half risen in the witness box, now, at the end of that denunciation, stood at his full height, his hand clutching his own coat lapel fiercely, his eyes bulging from his head as he stared at the two blue-coated attachés of the court-room who moved forward. His reply came forth almost in a scream of panic.

"It's—it's—a lie, damn you, it's a lie. I—I—I didn't kill him. I was with him when he was shot dead—yes. But I didn't do it. You can't—you can't arrest me. I—I——" He clawed wildly at his clothing, ripping open both the coat and inner shirt. His claw-like fingers emerged carrying a soiled folded sheet of paper. He waved it wildly, steadying himself with his other hand on the rail of the box. "His letter—here's his letter—in—in his own handwriting. It was on the table. That letter'll prove that it wasn't me. And—and I can prove the rest. I'm not a murderer. I never killed nobody. I—I only wanted the bonds—I knew the secret—I knew they were there—I wanted 'em for myself—I was only waiting my time to buy the safe in—oh, God—I—I tell you I didn't murder him. I'll prove it. I'll prove it all. I'll——"

"Just what is it you're going to prove?" admonished Judge Lockhart, appearing very much staggered at the turn the trial had taken.

"I'll prove who killed him," the witness shouted, now in a veritable panic. "At least I'll prove it wasn't me. And that's—that's enough. Give me—give me a cold chisel—a hammer——" He climbed down off the witness-chair. The bailiffs edged towards the swinging wooden gate of the court

which hemmed in the principals in this strange trial, but the witness made no attempt to escape. Striding across the open space to where the big Chinese safe stood in front of the clerk's desk, and panting a bit as though from a heart overtaxed by fear and shock, he pointed tremblingly to it. "Put it—put it—put it up on there," he gestured clumsily with his right hand, "with—with the top pointing this way."

The court-room had suddenly grown less light as the clouds outside became larger and obscured the sky for longer periods. At Venson's queer command the clerk, suddenly galvanized into action, with a glance at the judge, who nodded gravely, stepped out from behind his desk. Beckoning to three blue-coats, the four men lifted the giant safe and laid it on its right side across the very desk which it had fronted. Its top faced the court-room as Venson had directed. A bailiff appeared as by magic from the outer corridor.

"Did I hear the witness call for a hammer and a cold chisel?" he said. He held up the two tools in question. "There's a carpenter workin' in the corridor. Here they are."

"Give them to me," called the witness desperately, and now his voice had become faint—as that of a man who had been spent by his own terror. The crumpled, folded letter that he had taken from his bosom in the witness-box he thrust blindly into the hands of the nearest man, who happened to be only a stripling of a court stenographer, but who at once handed it up to the judge. The tools conveyed inside the enclosure by the bailiff who had brought them from the outer corridor Venson literally snatched from the man's hands. The ex-servant glanced out at the gloomily overcast skies. "The—that—that tall lamp now," he half gasped to the clerk.

The clerk lugged from around his desk a tall vertical brass adjustable lamp which stood on the floor at the edge of his swivel chair. It held a single large bulb in a reflector mounted on a flexible brass stem, and from behind it dragged its trailing black cord. This the clerk placed where Venson's gesture indicated, and snapping on its light adjusted its bulb and reflector so that the illumination from it fell directly upon the top of the big safe lying diagonally across his desk. That this was exactly what Venson wanted was proven by

the witness's next move, for, his hands trembling, his own self now as silent as that tense silence about him, he fitted the edge of the metal chisel into the edge of the safe, an inch or so below its top surface and at a point above what was the left of the two upper gargoylike dragon faces.

"Crash!" his hammer fell on the head of the chisel. He worked the chisel out by violent see-sawings from right to left, and moved it an inch from its former position. "Crash!"—the blow of metal on metal. Around and around a certain area he moved, with mighty blows that caused the chisel edge to eat savagely a path into the ancient unyielding wood, and he moved as a man who even himself did not exactly know what he was going to find, but who possessed the desperate knowledge that here was the one thing that was going to save him from a terrible fate.

And now those clouds which all morning had been scudding, racing past outside, appeared to conspire suddenly to make of this new development in the Chalmers murder trial a scene belonging to the theatre itself, for in these last few minutes they seemed to coalesce into that Cimmerian blackness which precedes a downpour of rain. Spectators, principals in this strange trial—except Venson—court attachés, jurymen, all became thrust off, as it were, into another world, fused by darkness into a formless, gloom-shrouded audience, watching in silence a lighted stage consisting of no more than the top of an ancient wooden safe, a stage in whose illumination worked a sole actor—the perspiring witness—playing his part in the bright glare of a single footlight.

And of a sudden, even as the ominous rumble of thunder rolled across the blackness outside, the work of hammer and chisel came to sudden fruition in that circle of light. A piece of teakwood, thick and black, a piece whose length equalled the entire thickness of the safe from front to back, whose width was perhaps eight inches, detached itself from the top of the safe directly over the left of the upper two Chinese gargoyles, and splitting away from the rest of the top, revealed that that supposedly deep solid block comprising the massive roof of the strong-box was by no means a solid block. For a large polished opening lay beneath the place from which the heavy piece of wood had been detached. And what was revealed in that opening caused a tremendous stamping and



shuffling of feet in the back of the court-room, indicating that the spectators, as one man, were clambering to their feet in the darkness of their part of this theatre, and pressing forward to the very rail of the court, craning necks to see even more of what was shown in the circle of light occupied by the trembling witness.

In the long recess directly behind the Chinese gargoyles—that recess which could be seen to extend almost to the rear of the safe—was fixed an ancient flintlock pistol, held rigidly upright in old bronze clamps, green with age. The extremely long barrel of the pistol terminated, as at least those to the left of the court-room could see, in the actual eye of the gargoyle, and, moreover, its black aperture became the eye-socket itself. But that eye-socket, it appeared, had been stopped up by a piece of blue inlay plucked from one of the many other spots in the safe door itself where inlays were missing, and hammered into the cavity; that this had been done by an artisan rather than an artist was indicated by the fact that in this gargoyle only the two eyes did not match in tint as in the three others. The humorous cylindrical nose of this gargoyle, likewise, could be seen to terminate on the other side of the front wall of the recess in a wooden cylinder of larger diameter, into which a peg had been driven fastening a leather thong; and this thong in turn ran through three simple pulleys seemingly cut from a piece of bone, to the trigger of the ancient firearm where it was fastened. The thong even now was taut, tense, and, affixed as it was so that it stood out at right angles to the larger cylinder within, it was obvious that either way the gargoyle nose was twisted, the thong must tend to be wound upon the cylinder only to be tightened, and to draw that deadly hammer down upon its steel flashpan with its powder-impregnated fuse leading directly into the barrel of the pistol through a touch-hole.

It was not this, however, neither the pistol nor the Machiavellian mechanics of it, which caused the craning of necks, the clatter of many feet pressing forward to the rail of the court. Nor was it even the ancient roll of parchment-like material lying in two loops of thong to one side of the recess. What caused a sudden buzz of excited comment to pass over the entire court-room was the old dried-up human hand, reddish-brown in colour, shrunken, shrivelled, stiff, its knuckles

—human knuckles!—bulging within the desiccated fibres comprising the flesh—its white nails indicating only too plainly that a bit of a man's body had been preserved by the ancient arts of China, perhaps absorbed—who knows—from Egypt herself. And the index finger of that shrunk, embalmed hand—that hand which, like the pistol, was held up in age-old green clamps—had been crooked ironically around the trigger of the pistol and there tied forcibly with a bit of leather thong!

The witness, breath coming fast now, due to his terrific exertion with hammer and chisel, stepped back, his tools in his hand. A wide-awake bailiff strode forth into the circle of light and detached from the two loops within the recess the roll of parchment, which for a second he held undecidedly, then handed up to the judge. And even as he did so, the witness tumbled into a dead faint into the arms of the nearest bluecoat, his tools clattering to the floor.

With only a glance at this unexpected interruption, Judge Lockhart snapped on the desk lamp of his high desk and, unrolling the parchment, ran his eyes over it. In turn he examined that earlier paper handed up by the youthful court reporter who had taken it from Venson's fingers. Then he looked up from the two documents.

"I believe," he said quietly, addressing his words to the entire court-room, "that as soon as this witness comes out of his collapse and finishes what he undoubtedly knows about this case, this trial will be at an end. For in the face of these two papers"—he held up the crumpled letter which Venson had produced on the stand, then the parchment roll—"I shall have to send the case to the jury with instructions to bring in a verdict of acquittal for the present defendant. It is now evident, I regret to say, that the testimony brought in by the defence to-day, but ruled out as irrelevant, is not irrelevant after all. Mr. Ballmeier, you may have to have a new indictment drawn up if you prefer to prosecute further in the case of Rupert van Slyke, sole living descendant of Captain Kidd, for it would appear that that famous pirate's mortal enemy, Captain Josiah Quarlbush, has wiped out the Kidd family by a bullet fired half-way around the world and across two centuries of time!"

## CHAPTER XXVII

### A PACKET FOR A LADY

A FLAT motor truck, carrying a heavy receptacle of carved Chinese wood, partly covered with a tarpaulin and accompanied by three heavy-jawed court bailiffs smoking black cigars, rolled through the Chicago Loop, out across the river at Jackson Boulevard and over on to the great West Side, driving straight against the big red ball of fire that marked the end of a strange day in the Chicago courts. Following the motor truck leisurely, stopping in the traffic when traffic brought the truck to a stop, slowing when the truck slowed, and speeding up when the truck darted across a street, a cab slowly went, carrying three occupants, a man and two women.

The man sat between the two women, and each member of the little trio appeared to be busy with his or her own thoughts. The sun had dropped beneath the smoky western fringe of the city as the motor truck in advance of the cab drew up far out on West Jackson Boulevard at a fashionable greystone residence. And the driver of the cab, as though instructed, also drew to the kerb down the street and waited.

A ring at the bell of the house by the truck driver, and a man clad in a blue silk dressing-gown, a pipe in his hands, answered the door. A moment's colloquy, and the three bailiffs, at a signal from the driver, hopped down off the truck, took off their coats, and as the owner of the house threw wide the door, they all, taking each a corner of the Chinese safe, lugged it up the stairs and inside the house. In a moment or two they reappeared, wiping off their hands, one of the men folding up a receipt, and soon the truck had turned and was headed back to the Loop again.

Now the waiting cab drew up the hundred or so feet remain-

ing and, stopping in front of the same house, its three occupants got out. Together the three went slowly up the steps. Again, at their ring, came the man in the same blue silk dressing gown. A little girl, cunning, black-curled, with great brown eyes, peeped timidly at the visitors from around the banister post of the inside stairway.

"Mr. Leslie van Slyke, I believe?" said the spokesman for the trio standing outside. "Mr. Rupert van Slyke's cousin?"

"The same," said the man in the dressing-gown.

"Crosby—David Crosby—is my name," said the caller. "Could we have a few words with you?"

The man in the silk dressing-gown opened the door wide. "Most certainly." He led the way, once the three callers were inside, into a large library at the end of the hall, fitted with leather chairs, old engravings on the wall, a fireplace, many, many books, and one object which seemed to strike a strange, foreign, and even discordant note—an article which had just come into the place from a dusty truck outside—a great safe of polished and inlaid black Chinese wood. "Be seated, if you will," he invited.

He closed the door, and, looking about him to see that all his callers were seated, he too dropped into a chair, waiting curiously. Crosby was the first to speak.

"Mr. van Slyke, this lady to my right I shall not introduce to you by name, on account of certain personal wishes of her own with respect to her interest in this case. Sufficient to say that I can vouch most highly for her. The young lady to my left is Miss Lindell Trent, a personal friend of both of us."

Mr. Leslie van Slyke, rising, acknowledged with a courteous bow the introductions to each lady. Crosby inclined his head toward the Chinese safe at the side of the room. "It is about that," he observed, "about that safe over there, of which many dozens of photographs have been flashlighted for the evening and morning newspapers, that I have come to see you. And I notice that it has been returned very promptly to you with the close of the trial."

"Yes," said Leslie van Slyke. "I exacted a solemn agreement from the State's attorney that before I would allow the safe to go to court as an exhibit, it would be returned to this

house the identical minute the trial was definitely and conclusively over."

"So I understand now," Crosby nodded. "May I first ask you a question or two before you perhaps ask me a good many? Have you at any time since Rupert's death had any offers for that safe?"

Leslie van Slyke stroked his chin. "I have," he said at length. "I would venture to say that I have had at least five offers from different sources, generally agents acting for some unknown principal."

"The offers were not very large, I take it?"

"Not large enough, considering the value of the thing artistically—from a Chinese angle—and as a genuine Cheng antique," said Leslie van Slyke. "The highest offer was around 1,000 dollars. A curio dealer advised me to hold it at 1,800 dollars, and so I told the last agent."

"What was in it, if I may ask, when you took it over with the rest of Rupert van Slyke's estate?"

"Only a few insignificant papers, a bottle of ink, and—well"—Mr. Leslie van Slyke regarded the ladies a little hesitatingly, then completed his sentence—"and a packet of French photographs which I promptly burned."

"I see." Crosby's eyes left the safe and the loose piece of teakwood lying crosswise over its now partly open top, and riveted themselves curiously on his host. "Mr. van Slyke, if you were in St. Charles to-day, then of course you were not present at the trial?"

Leslie van Slyke shook his head. "No, I left early this morning and got back only at four o'clock. My servant girl tells me that many friends rang the house this afternoon with word that extras were on the street as early as two o'clock, bearing just the news in six-inch high letters, 'Chalmers Acquitted!' But I am still more or less in the dark about many things, as the boy who delivers the paper here at night never gets here till near dark himself! I did at least get an inkling about why this antique has come back damaged, although"—he glanced ruefully at the safe—"although I suppose some curio artisan can repair it?"

"Yes," assented Crosby, "the safe can be repaired, but what it did can never be repaired by the hand of man." He paused. "How much did you hear, Mr. van Slyke?"

"Well," said the other, "all my friend told me was how you broke that fellow Venson, one of the least to be suspected of the State's witnesses, and broke him so badly that he collapsed in court and revealed everything that's out in the evening papers. Anyway, Mr. Crosby, you've done a wonderful thing—for to bring truth out of darkness is an achievement supreme. There is one thing that I can't understand, though, Mr. Crosby. It's this: what led you to suspect Venson sufficiently to dig back deeper into his alibi, and also to determine to attack his story with a trick?"

"Ah," said Crosby with a smile, "nobody knows that." He grew serious. "Mr. van Slyke, I'm glad to answer that question to you alone." He paused. "You will not find the following precept set forth in any books on logic, but it is one of several that I have garnered together during the years, or use in my legal practice. And it is this: It is always logical to suspect the story of one who claims to have been one of the actors in a coincidence. But since coincidences do happen in life, the story of a participant therein may be gospel truth. But last night I was to learn for the first time that Edward Venson was, if we were to accept the facts as he gave them, an actor in two coincidences. But I'll explain.

"Now I always implicitly believed Chalmers' alibi about that murder—and I merely assumed that Venson's identification of him as the red-haired intruder was a mistaken identification confusing him with the real red-haired murderer. But last night Chalmers was forced by the rush of circumstances to tell me the absolute truth: that he did go to your cousin's house—even went up the tree to the window—but never even entered your cousin's library. At once I noted the coincidence existing: that two red-haired men, therefore, had both gone to that house that night, and Venson had grappled with one of them. Perhaps that coincidence could have been made acceptable to me, but my genealogical investigations had already revealed to me that Venson's ancestry could be traced back to where it took the name of Quarlbush. I was, of course, bluffing in my later denunciation of him in court when I told him I had traced him clear back to Captain Josiah Quarlbush. At any rate, Quarlbush was the name of a man who had been sorely injured by Captain Kidd, your cousin's progenitor. And there again Venson, a supposed

chance servant of Rupert's, was part and parcel of a coincidence. Now if the mathematical chances that a person can participate in a single coincidence is one in a hundred, the chance that he will participate in a double coincidence is the square of that, or one in ten thousand; therefore I determined that neither of these things were coincidences; that Venson's service with your cousin must have come about through his actually being a descendant of Captain Quarlbush and his seeking your cousin out, and his grappling with a red-haired man must be a fairy tale. Why did he invent it? Well, I sprang my bizarre motive to-day in the court-room—but its chief utility proved to be merely to help break Venson's nerve. At any rate, when I perceived that Venson was an actor in two coincidences, I trained every gun I could invent on him and him alone. Does that answer your question?"

Leslie van Slyke nodded. "It does," he replied. "I see. I see plainly. But remember though, Mr. Crosby," he added with a half-smile, "I know less of what happened to-day, perhaps, than one of the newsboys now on the streets downtown. My friend was not very coherent. Exactly what did happen in my cousin's house that night when he met his death?"

"Well," said the lawyer, "that's the big story the evening papers are carrying. Suppose I tell it to you from Venson's viewpoint."

Crosby paused and then went on. "Venson left Noonan, the patrol-man, at a quarter to ten instead of five minutes after, as Noonan had testified. He trotted back to the North Oakley Avenue residence. He had a penchant for cats, it seems, and on the way he picked up a striped one which returned his intentions by turning on him and clawing him down the face, leaving three long scratches. He went on to the house and let himself in.

"At the sound of the front door, your cousin called down to him: 'Venson, come up to the library and bring the pliers with you. I'm going to make an experiment on this damned safe.' So to the tool-box in the basement Venson went, and thence upstairs again with the pliers your cousin had demanded.

"When he got into the library, Rupert was standing frowningly regarding the safe. Your cousin appeared to be engaged in the writing of a letter which still lay on the table across

the room. He turned to Venson. 'Venson, give me those pliers—' he began, 'because—well for God's sake, man, what in hell happened to your face? Did you have a fight with a flapper?' Venson sheepishly told him about the cat. Your cousin, nodding, took the pliers. 'I want to make one final experiment,' he explained, 'on this damned load of tricks. The noses won't push in; they won't bend. So I'm wondering if by any chance they'd twist.' He stooped down and placing the hem of his silk handkerchief in the jaws of the pliers seized with it the lower-left gargoyle nose, which he twisted or attempted to twist to left and right with the tool.

"Venson was intrigued. That Chinese safe had always intrigued him. Many was the time he had seen Rupert deposit papers and bonds and money in it, and yet a few minutes later, when it would be reopened for something, Venson would see only an empty interior. He knew that some secret repository, accessible only after one got inside, existed in it, but that's all he did know. Only that afternoon he had helped Rupert tally and check up the coupons on 25,000 dollars in gold liberty bonds of the 1st, 2nd and 5th issues, bought by your cousin back in the days when if one were not in the trenches, one had to buy till it hurt, as the saying went. Venson had seen them go back into the wooden vault, and after Rupert, his head and shoulders inside the interior, had pottered about therein for a moment or two the door had been closed and the bonds had not come out again. Strange, Venson wondered, where they went, for they were always accessible yet never in sight.

"So, bewitched with a fascination equal to that other unanalysable fascination that had drawn him, a poverty-ridden descendant of Captain Josiah Quarlbush, to the service of a wealthy descendant of Captain Kidd, he watched your cousin try to twist in turn both of the lower gargoyle noses, then the right-hand upper one and then, still stooping just a bit to watch his own efforts, the left-hand upper one. What happened then happened in a twinkling. With a shot, a cry, Rupert stiffened up and fell over backwards and Venson, rubbing his eyes, saw not only that the green jade eye of the left upper gargoyle had become transformed into a gaping black hole, but that a stream of smoke was pouring forth from that hole.



"He leaped forward, and kneeling down gazed at the powder-smeared forehead, the bleeding wound in Rupert's head. He listened for Rupert's heartbeat, but could detect none. That Rupert had been the victim of some sort of weird automatic gun-trap was evident; but it was not given to Venson to know fully just what, until to-day. However, as he stood there the idea came to him: had Rupert been only grazed by the bullet? If so, then a doctor could help. With which reflection Venson hastened from the library and across the narrow hallway outside its threshold into the bathroom on that floor, took from a hook a washcloth and turning on the hot-water faucet long enough for the water to run hot, he soaked the cloth and wrung it partly out.

"Now the threshold of the second-floor bathroom in that house lies on a direct line with the window of the upstairs library, and as Venson went to step forth from the darkness of that bathroom, washcloth in hand, he was astounded to see a man in the tree outside the library. The man could not see him, Venson, because Venson was in the dark. Nor could Venson see the man's face, for the latter had one arm up, holding on to a limb of the tree, and the arm cut off all but the forehead and eyes. All Venson could note was red hair, bright red, showing from beneath a hat tilted back; the collar of a grey overcoat, open; a dark suit perhaps blue or perhaps black beneath that, and a white collar. That was all—that and a pair of horror-stricken blue eyes.

"We know now that the horror-stricken blue eyes peering in from that tree were the eyes of Archibald Chalmers himself, who was getting the shock of his life. The very first idea, however, that flashed across Venson's mind is better phrased by his own later testimony to-day. Said he: 'I was sure it was one of that drinkin', carousin' outfit up at Lake Forest where young Mr. van Slyke had jumped the show the last minute, come down to make trouble or get revenge; if it wasn't that, it might be a brother of one of the many girls Mr. van Slyke was always foolin' around, spying on him.'

"Venson hastened across the floor of the library, and peered out of the dark window. But the man was gone. He had slid, clambered down, and had disappeared in a hurry. With which Venson kneeled down and wiped the blood away from Rupert's forehead, the operation incidentally obliterating the

powder-stains also. No hope! It was no flesh wound. There was a blue hole directly to the right of the middle of the forehead. So Venson prepared to call the police.

"But he was still mystified about exactly what had happened here to-night. And thus it was that Venson went over to the table where that unfinished letter, with the fountain pen nearby, lay. He picked it gingerly up. And—but here," Crosby added, "is a copy of the letter itself." He took from his pocket a typed sheet of paper from which he read off the following uncompleted missive:

International Curio Company,  
London, E.C.4, England.

GENTLEMEN,

Some nine years ago I sent an announcement in multi-plicate to all the curio and antique companies and independent agents throughout the world, including yourselves, that in view of the fact that I was the only living descendant of Captain William Kidd, the mariner and alleged pirate, I was in the market for Kidd mementoes of all sorts for my contemplated collection.

You were kind enough to put me in touch with various authentic objects appertaining to Captain Kidd, but one item in particular has proved to be of no value for my collection. I refer to the Cheng safe, or strong-box, which some two years later you wrote me had come into the hands of your agents in Canton from an old Chinese family living on the outskirts. I purchased it for 1,000 dollars and had it shipped to Chicago.

I have long ago concluded, however, that it is not a legitimate Kidd relic. As dealers yourselves, you will recall that the mark of Crown and Boot was used by various people associated with Kidd as well as by Kidd. Therefore I would like to re-offer the safe through you to such collectors as may be specializing in—say—Chinese antiques, at a price sufficient to cover only my original investment plus your commission. Say 1,125 dollars?

The Cheng safe, I should like to add incidentally, is of practical utility, so far as keeping valuables. It contains a secret recess which I have no hesitation in saying would defy the most astute professional lock-picker and safe-prowler living, a recess copious enough to serve the fiscal needs of any business

house. It took me three years of patient endeavour to find the exact combination of locations and pressings that revealed the secret compartment in the base, and this recess which I use myself unhesitatingly for my own valuables, is the thing which makes a practical utility of the antique. As for the top block, I have never been able to uncover anything of interest. Pressing inlays accomplishes nothing. Pressing or exerting lateral force on the gargoyle-like noses, pressing the gargoyle-eyes, likewise avails nothing. It is possible that—say—twisting or turning one of the noses might——

“And there the letter stopped?” asked Leslie van Slyke sadly, as Crosby silently handed the copy to him and he glanced at its bottom line. “I suppose no sooner had the idea come to Rupert in writing it than he——”

“Put the idea into execution,” Crosby nodded. “At least as soon as Venson got upstairs with the pliers. The man who burned that crown and boot on the under-side of that safe surely laid a decoy for the family of Kidd.”

“And was that his intention?” asked Leslie van Slyke.

“No,” was Crosby’s reply. “It was Kidd—Captain Kidd—he was after—not Kidd’s great-great-great-grandson many times removed!” The lawyer now went into his vest pocket and withdrew another paper. “While we are on the subject of Captain Kidd and his associates and—well—assistants, it might be of interest to show you this copy made of the old parchment roll found in the compartment back of that left upper gargoyle.” He now handed over to van Slyke a type-written sheet of foolscap which read:

this strongebox was made in the yeare of our Lorde 1699 in the heathenysh provynce of Hung Sang Yin out of Canton by me, Josiah Quarlbush, once apprentyce watchemaker at the Blue Anchor of the Lower Walk of the New Exchange, London, againe able seaman, still againe late master an parte owner of the barke Sea Swallow, an now by the Grace of God the respekt’d agent at Canton for the greate companie call’d The Governor and the Companie of Merchants of London Trading in the East Indies. in the making of whiche I was aided by my friend Cheng Le Tsang of Canton, once worker in woodes an jades, now mandaryn. which strongebox god

willing will yet wype out that monster Willyum Kidd, whom it is meete that he be despatch'd, when he it is who hath despoil'd me and robb'd me of my good legge an right hande.

for did Willyum Kidd set greate store by me whilst I in his fowle servyce was impresst, an did he once aprivatlie relate to me over many a beaker of goode bomboo astrenthen'd with Jamaic rum, he deepe in his cuppes an noisome an asinging that I was his jollie bonnie friend ho, the following strange tale, the whole of which he did say he had never relat'd to no man, to-wit, that in the yeare 1697 he did capchure a Porchugeser shippe ill layd'n, of 175 tons burthen, whiche did carrie onlie 30 bales calikos silks an muslins, 20 tons refin'd sugar, 17 tons salt petre, 5 tons of iron in shorte junks, 1 ton spices, and in the shipmaster's coffers but 120 pieces-of-eight ; pityingly for such povertie he did sette the shippe an crewe back upon the sea to go ; yet—holde—did he take therefrom a Chinese mandaryn to be a lingoister in his fowle profession, the better to decoy into his graspe the riche Chinese junks a-crossing the India Ocean ; but the Chinese mandaryn a-being strange to the Physick of the whyte man did die aboard Kidds good shippe Ye Advenchure and before he did die did he tell Kidd that the poore Porchugeser vessel had carry'd the noble forchune of 10,000 coynes of Arabian gold a-pack'd in the hollow toppe of an ancient Chinese strongebox in the captains cabbिन, whiche to gaine access must man twyste the dragons nose on the leftte syde of the toppe

the whiche when he heard from the dying mandaryn did Kidd curse his own stupydity and the clever tricke that had been a-play'd upon him

oh ye damn Kidd that I were able the seas to sail, to shoote a musket ball through thy damn'd foreheade. but my life in the heathen lande of China is peaceful and this is not to be

yet do I fashion by the aide of my friend Cheng, whose barque the Hing-Si was a-plunder'd by Kidd, one other Chinese strongebox, fulle with the same trycks of sliding doors and many recesses the like of that whiche the mandaryn did descrybe to Kidd as on the trickie Porchugeser, and withal another four dragons with noses like to the gargoyles on Notre Dame in Paris, but with the nose of the leftte upper a-fixt to a leathern thong attach'd to the trustie trigger of a flintlocke an the flash-pan a-prim'd with fuse immers'd in the harden'd mixture of

cows-hoof an goode Chinese gunpowder whiche though a heathenysh mixture spoileth not with time bless God an the barrell containing one leaden ball a-ramm'd in tight with a pucker of chamois that it rattle not

an it shall be that this strongebox with silks a-laden I and Cheng shall despatch the India Ocean across by way of Bombay thence to Zanzibar thence by the grace of our many goode friends from Zanzibar back to Bombay, an then back, an thus ever to and fro, back an forth, by ship and barque, withal them as be slow an weake an easy of capchure.

then doth for a surety Kidd who prowleth in the India Ocean like a greate spyder capchure the slow vessel for he feareth much our goode Kinge Willyum God bless him an will not sinke his prey but durst only to take their goods on forge French passes the whyche captains will surrender unto him rather than exchange shots. thus doth Kidd when he capchureth the vessel on whiche shall be the trick strongebox heare from his men of the strange Chinese box that containeth only silks but will he avariciously scorn the silks therein and order same to be a-brought to his cabin, for he being greedie and there being the law of the pyrates that every man aboard shall share in all spoil, will he not in secret therein examine the trickie recesses an a-finding them with an few or none pieces of eight will he not greedily the nose of the lefte upper draggon turn a-thinking nay a-hoping that here like on the Porchugeser is the hoarde the goode store of pieces of Arabian gold, the whiche instead there shall be no hoard but from the eye of the draggon shall come forthe a pistol ball in the fowle brain of William Kidd

an having employ'd in the writing of this script a scrivener an being unable to attach to it my hande and seal do I attach, cunningly embalm'd by the heathen arts of the Chinese, my hande itself, to the trigger of the flintlocke

so ye who finde this knoweth that Captain Josiah Quarlbush, once master of the goode Sea Swallow now a-rock'd in Davy Jones' Locker, hath end'd the career of the family Kidd

Wonder written on his face, Leslie van Slyke looked up from the foolscap copy of the old document. "Truly," he commented, "that embalmed hand was the hand of a malign fate. But who was to guess that two hundred years or more

after Kidd's decease, a descendant of his was to send out far and wide over the world for mementoes appertaining to him, and bring in this thing that bore on its bottom the Crown and Boot, now a mark of Quarlbush as well as Kidd?" He paused. "And Venson—what about him?"

"Yes," echoed Crosby. "Well, for one thing, his perusal of that letter and its reference by Rupert to the secret recess the latter had uncovered, brought to Venson's attention for the first time a staggering fact; that he alone now knew that some 25,000 dollars in good, unregistered, negotiable liberty bonds lay inside that safe, at a spot which, to quote the letter, 'would defy the most astute professional lock-picker and safe-prowler living.' Except that when the truth of Rupert van Slyke's peculiar death was revealed, the police, the coroner, the heirs, would drill into every portion of those two giant blocks to see where else lurking death and powder-impelled missiles might be. And such drilling must reveal the existence of the secret recess. And this letter!

"But why not hold back just the factors that throw the finger of suspicion on this old safe? Why not tell the police that he had come upstairs and had found Rupert lying dead on the floor? Let him be an unsolved murder. Put this significant letter out of sight! Let the police think somebody had murdered him from the window——

"Could he do it? Could he successfully stand a police questioning? Of course it wasn't given to Venson at that moment to know that the exact time of that shot had been noted, and that the stupid Noonan would later be providing a neat alibi for him. And so he felt some qualms about concealing the truth. But would the police break him in his story? How many other suspects would there be to divert police attention from him? How many——

"Ah! The red-haired man! It came to Venson like a shaft of light from Heaven. Now Venson had his story—the story that would save him, Venson. He came up the stairs—he found Rupert lying dead on the floor—he saw a red-haired man, aristocratic-like, peering in at the window——

"He shook his head. No good. He was thinking clearer and more quickly to-night than ever in his life, for if he thought right he would be rich; by one swoop he would have taken back from the Kidd family a little fortune amounting to more

than the loss of Captain Quarlbush's share in the *Sea Swallow*—yes, the family tradition again which he knew only too well. But that last idea of his, it wasn't sound. No credence would be attached to his statement. The usual figment of the imagination. And no co-ordinated efforts would be made to put forth the drag-net which Venson knew, if cast forth, would catch some unlucky red-haired devil who had some sort of a hostile motive for being here this night and who wouldn't be able to render an alibi to save his life.

"There was the rub. The police *must* be convinced that there was a red-haired man in this affair—so convinced that they would put out a true police net over the entire width and length of Chicago and catch everybody with that hue of hair whom Rupert van Slyke might know. One of these would be the man in the tree; he must break under the third-degree. And when he broke under the third-degree, Venson would be safe and sound. Therefore the thing to do was to change that prepared story—he didn't see the red-haired man at the window—the man actually grappled with him in the hall—a real man—how could an imaginary man grapple?—Venson felt of his face—those swollen long cat scratches he had received this night would come in good stead—he could loosen his collar—could imaginary people claw a man's face?—struggle with one?—ah, that was it. Here was the story that would definitely and surely put out a tremendous net for all red-haired men.

"Time was getting short. Venson gathered up the silk handkerchief, the pliers and the note. Dampening the handkerchief, he removed from the gargoyle-eye the traces of smoke. And—he rang the police. That's all," Crosby finished. "His testimony in the two trials completes the story for you."

"And I suppose," commented Leslie van Slyke, "that after he was called to the detective bureau next day to view Archibald Chalmers, he was only too glad to make Chalmers the red-haired man of his story, and identify him?"

"Exactly," was Crosby's reply. "Although now protected by a gorgeous alibi, he had to play the game through that he had started."

"And he is the artist who plugged up the eye-hole in that

gargoyle with a round bit of Chinese jade that didn't match the other eye?" asked Leslie van Slyke curiously.

Crosby laughed. "With a marble, you mean, costing twelve for one cent—a marble such as boys use, driven in that socket with a sharp blow of a hammer, and done subsequently while the funeral of your cousin was going on in the parlour down below. That marble, it seems, ended for all time any questions about the integrity of the safe."

Leslie van Slyke gave a hard laugh. "Venson must have now about a thousand dollars saved up, as this was the amount of the last offer I received. If he had been able to come another eight hundred I would have sold the safe, for that's the price I've put on it. I really detest the thing."

There was a silence in the room. It was broken by Crosby.

"Mr. van Slyke, when I came here to-day it was with some nebulous idea in my mind of buying, for a client, that safe, at a price on which you would agree to let anything other than valuables go with the safe. However, since talking here with you in person, I am convinced that such procedure is the wrong one for us to adopt. Now I'm going to ask you a question. First, in all modesty, I am going to call to your attention that it is to me you owe the uncovering of a secret that means some 25,000 dollars in your pockets, inasmuch as you are Rupert's heir-at-law. Had I not broken Venson and the State's arch to-day, the truth would still be buried—and buried till such time that Venson got his fingers on what is legally yours. But of that 25,000 dollars I want nothing—not a penny. I've cleared my client—that's my prize. But there are, I have strong reason to believe, a packet of stamped, addressed envelopes contained in that secret recess, each one of which bears Rupert van Slyke's name and address. Letters. Just letters! And I am now going to put it to you, as man to man, if, providing this lady here can identify herself as the writer of those letters by duplicating one of the addresses in her own handwriting, I am not entitled to ask that they be given to her without question."

Leslie van Slyke went to an escritoire from which he returned a moment later bearing in his hands a slip of paper. "Here is the combination of those ivory drawsticks which was found pinned to Rupert's will deposited several years ago in the Northern Trust Company," he said. "But what about the



method of gaining access to the secret compartment? In view of this letter he wrote to the curio company of London, revealed to-day for the first time, do you think it possible that these notations in pencil on the bottom could be memoranda about those 'pressings'?"

Crosby took the paper. Drawn neatly in black ink in a vertical row were three Chinese characters, evidently the three which must be lined up on the top, middle and bottom draw-sticks respectively to release the safe door. Whereupon Crosby turned his attention to the hastily scrawled pencil notations at the bottom of the slip. They read simply:

"Replace red inlay in tail of dragon and pearl inlay in beak of smallest wahoo bird."

He looked up with a frown of puzzlement. "Neither the Chinese characters nor the words are an official record for his heirs, that's certain," he offered. "The whole thing is a memo, all right. And his not putting it into official shape indicates that he half-expected ultimately to dispose of the safe."

"Well," commented Leslie van Slyke, "we'll just have a look." Placing a desk lamp on the floor, he turned its pivoted bulb so that it illuminated the door of the safe. Then, dropping to his knees, his three visitors rising to watch the unique operation of the strong-box, he deftly drew in turn each ivory stick out until the character corresponding to the slip of paper was lined up with that above or below. And with a click, the door swung majestically open.

Now the lamp bathed the empty interior in bright light, and in the wide expanse comprising the back of the safe revealed a peculiar snake-like dragon who seemed to have in his coils a large bird, which Rupert van Slyke had perhaps in facetiousness called a "wahoo bird." That it was the mother bird was suggested by two smaller birds flying and fluttering around the dragon's evil head. Studying the odd pictorial representation for a second, Leslie van Slyke reached forward and pressed hard first on the red inlay that made a spark in the dragon's tail, and then equally hard on the mother-of-pearl beak of the smallest of all the birds. Nothing happened. He looked up.

"I'm afraid there's nothing doing. They're so deeply inset the only thing possible is pressing them—but nothing happens as you can see."

Crosby wrinkled up his forehead. "No, it wouldn't be quite so simple, Mr. van Slyke," he commented. "Remember, the drawsticks have to be all drawn to the proper marks at the same time, not in succession. Don't you imagine both inlays must be pressed at one and the same time?"

"You might be right, considering Rupert's saying it took him several years to work it out," was Leslie van Slyke's reply. "I'll try it if my hand spans it. It—well—look here, folks! The two inlays can just be spanned by a human hand and no more. See, I can press with the tip of my little finger on the red inlay and with the tip of my thumb on the pearl beak. He must have worked something like that, covering every pair that his hand could span. He——"

But his words were interrupted as, with a sharp click, the whole apparent bottom of the safe flew up like a trapdoor hinged to one side only, literally sweeping his hand off the inlays on which it was pressing. And there, beneath this neatest of all neat false bottoms, this cunning floor whose junction with the four sides could well represent the highest example of the wood-joiner's art, lay the real block comprising the base of the safe; and it was in this block that a recess with polished walls, about four inches deep and a foot square, stood. What was more, there lay in this square hollow a packet of green and brown and gold certificates all snapped together with a wide rubber band, and a packet of handwritten letters, all of the same lavender tint, size and shape, and divided into two heaps for convenience. Leslie van Slyke took out the bonds, as bonds they were, and laid them respectfully to one side. And then he brought forth the letters. The address on the top one said: Mr. Rupert van Slyke, 4020 N. Oakley Ave., City.

Already Mrs. Cornell, who had been one of the two silent spectators to this meeting, had her fountain pen out, and on the topmost letter she penned very neatly the exact replica of the address, fearfully, as though she were within range of a great prize. The man on his knees nodded his head as he examined the duplication, then laid them on her lap. "They are yours, madam." His face betrayed not an iota of curiosity—not the flicker of an eyelash.

"I thank you," she said, her voice vibrant with happiness. She thrust the letters into her capacious handbag.

The sudden silence that now fell upon the four people was broken by Crosby, who glanced at his watch. "Well, Mr. van Slyke, I daresay this is all, then. My thanks to you also." He turned toward his companions. "Shall we go?"

Mrs. Cornell nodded. Adieus were said all round, and Mr. Leslie van Slyke himself conducted his guests to the front door and bowed them out with countenance that now seemed in a slight measure to beam, suggesting that for the first time the significance of a fortune of 25,000 dollars in negotiable bonds thrust into his own lap was beginning to dawn fully upon him.

The waiting taxicab bowled silently through the evening twilight in the direction of Mrs. Cornell's Lake Shore Drive residence. Only once was the silence even broken, and that was when the taxi was turning the corner of Madison and Clark in the downtown Loop to work its way northward by way of Wacker Drive. Around a news-stand people were standing in little groups and knots, open papers in hand, and under the bright corner light all three occupants were able to glimpse on one open paper a huge moustached picture obviously of Captain Kidd fronting, in the same layout, an equally big picture of one David Crosby.

"Just think, David," Lindell Trent exclaimed, "how millions of people are reading that same news to-night and will be reading it to-morrow morning. What does it feel like, David, to become famous in a few hours?"

But he only smiled drearily, as he reflected that what was to break further in a few days about the modern occupant of that newspaper layout could be described by the same adjective prefixed by a single syllable. Infamous! What would it feel like to become infamous in a few hours? What indeed?

At last the cab drew up in front of Mrs. Cornell's lake front home. "I suppose," she said, "it is of no use to invite both of you in to-night? But you know you are both welcome. The servants—old Mose—will wonder at my sudden return from another city, I suppose."

"Thank you, Mrs. Cornell," said Lindell Trent, "but I have an appointment to-night that must be filled. We will both come soon, though."

And with one last farewell between the two women the

cab drove away. Now indeed there was silence, for Lindell's gay query of a few minutes before had brought to Crosby as nothing else the fact that he was at that moment under bonds of 65,000 dollars with a criminal charge—and worse—a trial with himself as defendant impending. It was after he had ridden for a full three blocks, slumped back in his seat, mute, that Lindell spoke.

"What is wrong, David?"

"Much is wrong," he said gravely. "The winning of the 500,000 dollars Chalmers verdict to-day after everything had caved in on me would ordinarily have meant the Open Sesame for me of big time legal work—big fees—gold and plenty of it, Lindell. I might show you three telegraphic offers alone that I picked up at my office this afternoon after the early papers carried the bare details of the great news. Yet all is destroyed—all is nullified—for I am to be tried on a vicious charge of having double-crossed a friendless client and stolen 150,000 dollars worth of gems, eight coloured diamonds belonging to Lord Masefield of England. It means, Lindell, professional death at this time, for even if I break a jury, it means a shadow hanging over my professional self for all time."

And with this he proceeded to tell the girl who meant most in life to him of his interview with Sammy Viggman in Winniston, Wisconsin, his careful deposit of Viggman's loot in the safety-box, and his being summoned to Krenway's office only to be confronted with Viggman's confession, an extradition warrant, and the surprising news that the eight Masefield diamonds had turned to coughdrops. "And the devilish complication of it all," he concluded fiercely, "is that I cannot produce this Mabel Mannering who demanded 44,000 dollars from me, nor give any explanation to the police or a jury, since Mabel Mannering is Al Lipke, the kingpin of crookdom, and the 44,000 dollars is the price of John Carrington's abduction. Was ever man tangled in a worse mess?"

She pondered deeply. "If you remain silent, David, you corroborate the police theory that you were forced to sell or pawn the jewels to raise money for some woman? Is this not so? And if you gave the truth, the world would know that you were the go-between on a criminal conspiracy—the payer of the money—and would never believe that you yourself were a victim?"

"Exactly," he said with a sigh. "Either way it spells disaster."

"Have you a theory, David, as to the disappearance of those eight jewels?"

"Yes," he replied bitterly, "I have a theory all right. I am convinced it is 100 per cent correct. Sammy Viggman, when third-degreed up in St. Paul in Considine's offices, no doubt fully described how I returned to the lockup and told him that I had deposited in safety-box 589 of the Winniston bank the eight Masfield diamonds, sealed with red sealing wax in a Pelton coughdrop carton. For that, you see, was what I really did and what I assured Viggman I did. Now what was more easy than for Considine to bring up to Winniston an apparent workman armed with drills and oxy-hydrogen apparatus, but in reality a deft sleight of hand performer—one of his henchmen, of course—supplied with a Pelton coughdrop carton, sealed with red wax, and containing eight coughdrops? What was more easy than for this workman, as he finally drew out the metallic drawer, to remove the real Pelton coughdrop carton and substitute the fake one? He could have done it easily as he turned around—and if he had used the oxy-hydrogen flame a minute before, their eyes would have been dazzled for several minutes after. Then there was nothing left to do but to open the coughdrop box in front of the gaping witnesses, and dump out the eight coughdrops. Well, all I can say is that they were eight expensive coughdrops for me. When somebody has made a big piece of crooked money in the world of crime, they're never safe until somebody else has gone up for the job. And for that reason, Considine will move heaven and earth to send me to Stillwater. And even if he fails, I'm broken as a criminal lawyer in every big town in America and Canada."

She looked tenderly at him. "Don't take it so hard, David. Perhaps something can be done to extricate you." She glanced out at the arc-lights which marked the crossing of Huron and State Street. "David, will you come up to my room with me? We'll leave the door open to satisfy my landlady, Mrs. Capsum—until I take care of an important business appointment to-night. Then we'll be free to talk over your affairs. Perhaps I can help in some way to extricate you—as you—as you extricated me years ago."

"Lindell—don't," he said horrified, crimson-red.

"Forgive me," she said contritely. "I shouldn't—shouldn't have said that cruel thing, David. It was the last flicker of the old bitterness of my life dying out completely."

The cab had now drawn up to a dingy house on West Huron Street. Crosby followed the girl as she entered the poorly lighted hallway, key in hand. A slatternly-looking woman stood peering at them through silver spectacles.

"Mrs. Capsum, this is my attorney, Mr. Crosby. Perhaps you've heard of Mr. Crosby." Mrs. Capsum nodded dimly, evidently recognizing only a keen well-dressed professional man rather than a personage in a field unknown to her. "If the bell rings to-night at eight o'clock, and someone asks for Miss Lindell Trent, will you please conduct that party upstairs to my room and come up with them? I want you for a witness."

Mrs. Capsum's face was a study. "For a witness!" she said. "For a witness? Oh Lord!" she exclaimed. "What—what do you mean, Miss Wentworth?"

"You will understand then, Mrs. Capsum. Now I note that the adjoining room to mine was vacated this morning. As Mr. Crosby has nothing to do with this interview, do you object if I allow him to sit in there until it is over?"

"Object?" said Mrs. Capsum magnanimously, beaming on her lodger's well-dressed and obviously high-priced lawyer! "No, not at all."

And with a nod to Crosby, Lindell Trent led the way up the stairway carpeted with its threadbare covering. He followed, a bit puzzled.

He looked curiously, yet tenderly, about her square colourless room as they entered, its carpet faded, its wallpaper stained, the little cheap alarm clock on the bureau, the dirty lace curtains in the windows. The one open door of the room looked out on a narrow matting-covered hallway, and an open door in the opposite wall showed a connection with another room which could make the two rooms function as a suite if necessary.

She lost no time in stretching across the open doorway of this adjoining room a Japanese screen which leaned against the wall, the top of which presented a criss-cross tangle of

reeds. Then she placed a chair back of the doorway a short distance, and returned to him.

"Now, David," she said, "when the bell rings downstairs, I want you to step into that room there, sit down in that chair in the dark, listen carefully to all that you hear and see as much as you can."

Her words were interrupted by a long peal at the bell. Almost before it terminated, Crosby felt himself pushed gently toward the opening door of the room adjoining, and without any more questions, quite dazed, he stepped into it and dropping into the straight-backed wooden chair there, saw her close up the opening with the screen. He could peer through the reedwork of the screen, seeing but not seen, hearing but not heard.

## CHAPTER XXVIII

### IN WHICH KRENWAY SCRATCHES HIS CHIN

**B**UT the fraction of a minute after the ring at the bell, and Crosby from his position of concealment heard heavy footsteps ascending the stairway, footsteps evidently of two men at least, intermingled with the puffing and panting of a woman at their head, and the incessant clatter of her tongue. And then there entered the room two men, tall, broad-shouldered, heavy-jawed men, with great flat shoes, followed by Mrs. Capsum. And Crosby, peering curiously from his position of vantage, saw with surprise that one of the two men was George Krenway, chief of the Chicago detective bureau, and the other was Bailey, his right-hand man.

"You're Miss Trent, I presume," said Krenway brusquely. "I had a telephone message from you——"

"To call here at eight o'clock to-night to hear something of extreme importance to the police department," the girl replied. "Yes, Inspector Krenway." She motioned the two men to chairs, and then turned to the gaping landlady. "Come in please, Mrs. Capsum. And close the door behind you." That worthy lady did so with great alacrity.

As soon as the door was closed, Lindell Trent spoke.

"Inspector Krenway, the reason I sent for you is because I am, fortunately, involved in something of considerable interest to your department." She paused. "May I first ask if you are familiar with the testimony which I gave yesterday morning at the Chalmers trial?"

Crosby, from his position behind the screen, had to confess to himself that George Krenway had a sense of humour, even at the expense of himself.

"I may tell you, Miss Trent," the detective-head remarked with a grimace, "that ever since an unfortunate experience



in the first trial of that man Chalmers, I've followed every line in the papers. Let's see. It seems you were short of money, weren't you, and went out to the north-western outskirts of the city—North 60th Court, wasn't it?—to earn some. And coming back you got off the car that was full of roughnecks at Marmora Avenue, and then——”

“Miss Trent,” interrupted Bailey, “I'll venture you were one of those people who went out to that tent where the cyclist looped the loop in mid-air?”

“An advertising stunt of some sort, I'm pretty sure,” said his superior. “That's all.” He nodded his head. “Well, let's see what Miss Trent has to tell us first.”

“As to the show,” said the girl, “I confess I cannot enlighten you gentlemen. What I have called you here for is to tell you of why and how and what happened when I got off the car at Marmora Avenue.” She paused. “Going out, I had made the acquaintance of a genial young Irish giant—his name was Mike McGann, and he is a teamster for the Patterson Coal Yards. You will probably want to take that name down. I must tell you that I was dressed in a suit of young man's clothing which I procured here, and to comply with the advertisement carried an empty black paperoid suitcase which belonged to Mrs. Capsum, my landlady here. After the show was over and Mr. McGann and I watched the Irving Park cars fill almost up to the roofs with the fighting mob of men waiting there to get back to the city—with, of course, that essential thing to make their cheques valid, a street-car transfer; and because of the hopelessness of getting me aboard under such conditions, Mr. McGann suggested that we walk to the gates of the State Hospital at Dunning, where we could board the car at its terminal. Which we did. As we came down the rise on the Dunning side, a little inoffensive, effeminate sort of a fellow was seated on a suitcase at the curb. He was just where one would board a car, yet a car had just departed, and he appeared not to have desired to get aboard it at all.”

“Must have been waiting for somebody from the Nut House,” put in Krenway.

“The obvious explanation appears not to be the case,” said Lindell quietly, “for when we approached he arose and asked us if this car went straight to the heart of the city.

Mr. McGann put him aright—instructed him to remain on the line only till Milwaukee Avenue was reached, and not only that, but to stay on the back platform so that he could extricate himself quickly from that terrible mob getting on at North 60th Court.

“And thus it was that we three, Mr. McGann and I chatting together, and the little fellow, boarded the car. We, too, stayed on the back platform so that we would be first off at the other end to get our cheques countersigned.

“Over the rise, at North 60th Court, our car stopped of course, and now it filled with the mob till it was packed so that we couldn’t move. I was pushed and shoved, stepped upon, my ears deafened with whistles; the handle of my suitcase parted from the paperoid body due to the swaying of the little light car and its jerks; a big man next to me staggered upon the paperoid body itself, put his foot clear through it, and in a minute it was flattened out a hopeless wreck by three or four pairs of heavy feet around it. Then it was that I turned to Mr. McGann and begged him to pull the bellcord—that my suitcase was trampled to pieces and that I intended to get off the car entirely.

“Mr. McGann,” the girl continued, “instantly did so, the mild-looking old conductor not daring to interfere, and the little Irving Park car stopped dead in the middle of the block. Then my self-appointed cavalier spoke, as I tore myself a short path to the step and climbed down on to the pavement. ‘Now ye boonch o’ roofnecks,’ she mimicked admirably, ‘that there lad standin’ there on th’ street happens to be a little lady that kim doon to make a ten-dollar bill like the rest o’ ye loafers, to pay ’er landlady up, and ye go an’ drive ’er offen the car and squish ’er suitcase to pieces, and muss ’er all up. She’s a fr’ind o’ mine, me gay buckies, an’ if she’s willin’ to take a chance on th’ money givin’ out, the least yez can do is f’r wan o’ yese to kick in wid another black suitcase before Oi pull the bell an’ start the car again. So kick in.’

“Inside of two seconds, everybody on that platform began to shout to his neighbour to turn his suitcase over to me, as if it were all a good joke, and I—well—I confess that I stood undecidedly where I was on the pavement for I hesitated to come back to Mrs. Capsum’s without that suitcase.” She stopped. Mrs. Capsum remained quite silent.

"From where I stood," she resumed, "I could see that the majority of the men had chocolate, yellow, tan, brown, gold, orange and most everything but black suitcases, including one or two old-fashioned canvas telescopes like Mr. McGann carried. There was one big herculean negro, however, with a razor cut over his cheek, who had a black suitcase, and one tall evil-looking man with a patch over his eye who also had one.

"Come on, Jack Johnson," said a man who stood safely across the platform, "and kick in your black suitcase for the little lady."

"Nuffin' doin' 'tall," said the negro with the razor cut. "Dat's mah wife's." Lindell gave a little lilting laugh.

"Here's a handsome lad got a nice black one," came a voice from the rear of the car, right by the window. "He says he'll give it to the lady." Shouts began to come from every direction. "Come on, Professor, come on. Kick in!" "Don't be a piker, Percival." "Can't you see a lady's waitin', Clarence?" "Hurry up, Ferdinand, you're elected." Those were but a few of the remarks addressed to him, but he was evidently refusing and holding on to his suitcase. Of course it was embarrassing to me, as I didn't want any one forced to make good my loss. And then something happened. A man in a green sweater close to him, evidently impatient, pushed the young man's hat down over his eyes, and as the little inoffensive fellow shook himself free and raised one hand to clear his eyes, a slim youth with a cigarette in his mouth next to him twisted his suitcase out of his hand, dropped it right over the sill of the end of the car and Mr. Mike McGann pulled the bellcord twice, the car shot off with a jerk and the last thing I saw was the little man with the gold spectacles raising a terrible commotion with about twelve laughing hoodlums hanging on to him so hard that he couldn't even move."

Lindell Trent paused for breath. "Well, there was nothing left to do under the circumstances but pick up the empty black suitcase, which I did, and trudge along the street. As for the empty suitcase, which was locked, when I got home that afternoon I put it carefully away in my closet here and commenced to watch the daily papers thinking I might see an advertisement for it from the poor little man the crowd

had manhandled so. I had no money to advertise myself, as I paid nearly all my cheque over to Mrs. Capsum for arrears on my room rent. And there in the closet it has been ever since—at least until this morning when Mrs. Capsum asked me to return the one I borrowed, and I got it out, dusted it off, and borrowing a suitcase key up the hall opened it to see if there was any clue to the owner of it.”

She stepped over to the closet of the room, and unlocking the door of it with a key which she took from a ribbon around her neck, and fumbling under a pile of clothing which appeared to have fallen to the floor, withdrew a black suitcase that was entirely concealed.

“When I opened it, I found that while it was nearly empty it was not entirely so.” She snapped open the brass catches as she spoke. Crosby, back of the Japanese screen, glimpsed as he leaned forward in his chair, four oblong packets from the torn wrapper of one of which peeped a fleck of green. “I found strapped in the canvas strips of the shirt-pocket these four packets, marked 500 dollars, 3,000 dollars, 6,500 dollars, and 4,700 dollars, one of them showing bank notes through the break in the wrapper.” She inserted a slender finger back of the canvas flap. “And back of this flap I found this little green paper packet strapped up with rubber bands.” She snapped off the rubber bands and unrolled it on the bed as she spoke. “At once I sent for you in order to turn it all over to your department. That is all, Inspector Krenway.”

A tense silence had accompanied her cryptic words. Then both Bailey and Krenway were on their feet, crowding close to the bed.

“Diamonds, or I’m a liar!” ejaculated Bailey crudely.

“Diamonds is right, Bailey. The Lord Masefield octet that Crosby was supposed to have lifted himself. And part of the loot of that Wisconsin bank cashier that fled north to St. Paul. Can you beat it?” He whistled.

They were passing the stones from one hand to another, all crowding around the scintillating cascade, Mrs. Capsum’s visage the very picture of dumbfoundment, Lindell Trent’s face the only one of them all that was unconcerned. Then Krenway turned to Bailey.

“It’s plain that that lad *did* have a means of entrance to some of those safety-boxes after all, but it beats me how he

happened to land with a black suitcase on a Dunning car going in to Chicago Tuesday morning when he fled north to St. Paul midnight Monday with a bright yellow one?"

"No mystery about the Dunning car, chief," returned Bailey curtly. "He must have cut back on his tracks at Mormon Junction, Wisconsin, and landed that old timer of a Great Northern mail train that so many boes and Johnny-yeggs have ridden into Chi. As to just where he changed suitcases—hm!"

The girl spoke up. "I don't think your party changed suitcases, gentlemen. If you will examine that tiny fragment of green paper in which the diamonds were wrapped up——" She stopped.

Krenway was smoothing it out in his hand already. Then he laughed out loud. "Torn from the wrapper of a two-quart bottle, Bailey. Listen here: Swelzheimer's Instantaneous Stain for Tan Shoes and all Leather Goods. Colour, jet. Wholesale size."

He looked up toward Lindell Trent. "Well, Miss Trent, I'll have to say that you've been the mechanism that has recovered what is probably the biggest steal of the last six months. And I'm sorry to say that there's no reward been offered either for the bank cash or the stones which belong to a St. Paul jeweller." He took out of his pocket a note-book and wrote rapidly on it with his fountain pen. Then he tore off the page and handed it to her. "Here is a receipt for the entire contents of the case, each item enumerated. The camouflaged suitcase itself we'll have to take along as part of the evidence if Worman is ever picked up. The poor boob, Bailey. A fugitive from the law, his loot gone, afraid even to advertise for it lest he land in a cell, and stranded in Chi on whatever money he had in his pockets. His goose was cooked when he boarded an Irving Park car that morning with a pretty girl like Miss Trent here, and two blocks later took on a crowd of roughnecks filled with 10 dollars apiece and the devil. Talk about hard lines for a hardworking absconder!"

He picked up the suitcase. "Well, good evening, Miss Trent." It was plain that he was impatient to get back to headquarters with the biggest police scoop of the day. "We'll want you to come down there to-morrow." He looked at Bailey. "Got the name of that Irish coal teamster who was

a witness, and the place where he works? All right, good. Let's go." And they were gone.

Mrs. Capsum's jaw still hung limply from her skull. She clawed at her apron like a kitten pawing a bed for itself. "Eight beautiful diamonds—and—and money," she was murmuring. "Eight beautiful——" She suddenly became electrified by the knowledge of the sensation of which she was the proud possessor. "I—I must go down and tell all the roomers. Eight beautiful di——" And she swept from the room, slamming the door behind her.

Crosby came out from behind his screen. His face was very white. He took both of the girl's hands in his. "Lindell," he breathed, "it was an unfortunate day for you when I entered your life, but a mighty fortunate one for me when you entered mine."

"And you've got something to thank Archibald Chalmers for after all, haven't you, David?" she said. "For when he desperately hired Mr. Lipke to weave a net to ensnare the chief witness against him, your diamonds were fished up for you at the same time."

"Only thanks to you being in the scheme of things," he said happily.

"I *have* been the mechanism that has cleared your name, haven't I, David?" she said, a bit wistfully, and like a little child that wants to be petted.

He nodded. They were both silent for a few seconds.

"David," she said suddenly, "how much have you saved up from your five years of practice?"

He gazed curiously down at her. "Seven thousand dollars, Lindell. But I have prospects to-day that will astound you. Yocum & Snelling offer me in their telegram of congratulations a junior partnership at 15,000 dollars a year. They appear to think that the name of the man who won the 'Half-Million Dollar Verdict,' as the night-papers call it, is well worth that to them. Kohnstamm, Weaver & Hupe offer me 20,000 dollars to add the name of Crosby to their firm. What is perhaps most surprising of all is the offer of Ballmeier himself. He begins next week a criminal practice of his own after years in the assistant State's attorneyship. He asks me to join him—to make the firm Ballmeier and Crosby. His friendly note says that it should mean 100,000 dollars a year, divided fifty-

fifty between us. So there you are—and this the product of to-day only. As for what I have saved—well, I haven't counted the cheque for 10,000 dollars which Archibald Chalmers sent me in lieu of the ship—the original payment agreed upon in our contract. That cheque I shall destroy, for never was I involved in a more intricate tangle of professional ethics in my life."

She shook her head firmly. "No, David, do not do anything like that. If ever a man earned 10,000 dollars and earned it cleanly, you did when you cleared him in the face of every discouragement." She put her hands on his shoulders. "David, have you ever looked forward to the price you will pay for the successful years that will come—the successful years in criminal law?"

He gave a harsh laugh. "I have no illusions, Lindell. I have a clear realization for the long years to come. Of the hundreds of truth-telling witnesses I shall have to beat down into a state bordering on hysteria. Of the other hundreds of witnesses whom I shall put on the stand and who will craftily perjure themselves and play false with me, their own attorney. Of being the last refuge of criminals trying to save both their liberty and their loot—of having to save them because I shall not know whether they are guilty or innocent, and because the saving of such is my profession. Of being involved in desperate plots and counterplots of every description, in bitter fights in court where I must make a liar of the man who tells the truth and shame him before his friends and the world. Success—big money—they are the moon; yet look at any mud-puddle on a moonlit night and you will learn the old truth that the road to that moon is down through the mud-puddle with the mud clinging tight. Yes, the road to the moon is directly through the muck. But I am not afraid. I can fling it off as fast as it tries to cling to me. And I intend to earn every dollar I can to make you happy—to make up to you that mistake of mine in the long years ago at Brossville."

She looked up at him. "David, do you remember the old Hipple farm two miles west of Brossville?"

"The old Hipple farm!" he echoed delightedly. "Indeed, I do. The one with the beautiful English hedges surrounding it. And it had the only windmill for miles around! And the up-to-date machinery, and the beautiful red barns and the

electric-lighted bungalow. Wasn't old man Hipple a modern one, though?"

"David," she said. "The old Hipple farm has been for sale—machinery, house, everything—for some three months since old man Hipple's death. The price asked is 17,000 dollars." Her face grew full of memories. "David, have you ever longed to go back—to the soil, and the wind and the sunshine——"

"And the wavy fields of clean wheat, yellow wheat?" he put in enthusiastically. "To stand in the doorway of a summer evening," he added, "and know that something like that was all mine? That I was helping to produce clean sweet food for the thousands. A hundred times yes," he said.

"David, it's a dubious road after all, isn't it, this road to the moon? You have won. You have beaten this game. But you can't beat it for ever, David. Have you ever thought that you—you would like to go back to Brossville, to the wheat, the Kansas wheat, the golden wheat of our young days?"

"So many times," he said fervently, "that you could not count them." He looked down into her troubled brown eyes. "Dearest, would you like to go back to the Hipple farm—as ours—and the English hedges and the windswept fields? If you would—if you would go back with me—so help me, I'd gladly give it all up, the criminal law with its prizes and its triumphs and—and its muck." He held out his arms. "Let's go back together, and the only law we'll know for all time to come is that you shall be the judge, the jury and the prosecutor for the rest of our days. Will you do it? I know you want to."

The only answer was the spectacle—the strange spectacle—presented by a judge, jury and prosecutor held in the arms of the defendant in the case!







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